

(12/31/1995)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 12/12/1997

To: Pittsburgh

From: Pittsburgh

Squad 10/Johnstown RA

Contact: SA [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED]:phw

b6
b7C

Case ID #: 89A-PG- (Pending)

Title: [REDACTED] aka

JOHN P. MURTHA, MEMBER OF CONGRESS,
WASHINGTON, D.C. - VICTIM
12/3/1997
CCSCAKA - THREAT

Synopsis: EC to O&A new 89A matter.

Details: On 12/3/1997, at approximately 6:41 p.m., Stonycreek Police Department (SPD), Johnstown, PA, received information that [REDACTED] Johnstown, PA, made

verbal threats via the telephone to [REDACTED] Johnstown, PA. [REDACTED] is employed as [REDACTED] by Erie Insurance Company (EIC), College Park Plaza, Theatre Drive, Johnstown. [REDACTED] was involved in an ongoing dispute with EIC involving the repair of his vehicle.

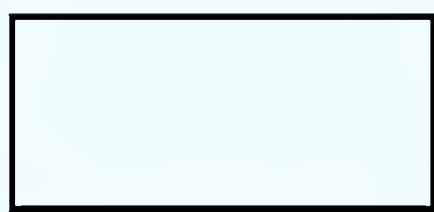
During the telephone call, [REDACTED] began to make threats, indicating that he had just bought a gun and ammo and knew where [REDACTED] lived. [REDACTED] threatened to kill [REDACTED] and everyone who worked at the Erie Insurance Office. [REDACTED] added that when he was done, he was going to Congress Murtha's office and kill both Murtha and his aid, [REDACTED] further related to [REDACTED] that [REDACTED] and Congressman Murtha were the cause of all of his problems.

b6
b7C

On 12/3/1997, at approximately 7:40 p.m., SPD notified [REDACTED] of the verbal threats toward himself and Congressman Murtha made by [REDACTED]

On 12/3/1997, at approximately 8:11 p.m., [REDACTED] was arrested at his residence by the SPD and transported to Conemaugh Memorial Hospital, Johnstown, PA, where he was subsequently committed for observation.

Investigation continuing.



349 PHW01, EC

6.1

89A-PG-64410-1
12/12/97

89A-PG-64410-1
Serial [REDACTED]
Indexed [REDACTED]
Filed [REDACTED]

To: Pittsburgh From: Pittsburgh
Re: 89A-PG- , 12/12/1997

Descriptive Data:

Main Subject

Name -

Last:

First:

Middle:

DDN:

Race:

Sex:

DOB:

Height:

Weight:

Eyes:

Hair:

Tattoos:

SSAN#:

Alias (es) :

Last:

First:

Middle:

DDN:

Last:

First:

Middle:

DDN:

Address -

House #:

Street Name:

City:

State:

Phone:

W

M

6'2"

300

Blue

Brown, balding on top

right forearm;

- left upper

arm

b6

b7C

Johnstown

PA

(12/31/1995)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 01/06/1998

To: St. Louis

Attn: Military Records
Center

From: Pittsburgh

Squad 10/Johnstown RA

Contact: SA [REDACTED]

Approved By: [REDACTED]

(X)

Drafted By: [REDACTED] phw

Case ID #: 89A-PG-64410 (Pending)

b6
b7C

Title: [REDACTED] aka

JOHN P. MURTHA - MEMBER OF CONGRESS,
WASHINGTON, D.C. - VICTIM
DECEMBER 3, 1997
CCSCAKA - THREAT

Synopsis: Request any and all records pertaining to
[REDACTED] for years of service in the U.S. Marine Corps.

Details: On 12/3/1997, [REDACTED] W/M, DOB [REDACTED]
SSAN [REDACTED] threatened the life of Congressman Murtha
during the course of a telephone conversation with Erie Insurance
[REDACTED] These threats were made as
a result of a claim against Erie Insurance for the repair of
[REDACTED] truck. In addition, [REDACTED] may suffer from a mental b6
condition and feels that Congressman Murtha is responsible for b7C
all of his problems. During an interview, [REDACTED] advised he
served in the U.S. Marine Corps from 1993 through 1997 rising to
the rank of Lance Corporal and received an honorable discharge.

Investigation is being conducted to determine if
sufficient evidence exists to charge [REDACTED] and also to conduct a
threat assessment. As part of this investigation, a review of
[REDACTED] military records will be necessary.

(61)

006PHW01.EC

89A-PG-64410-2
Search [REDACTED]
Filing [REDACTED]
Serialized [REDACTED]
Indexed [REDACTED]
[REDACTED]

To: St. Louis From: Pittsburgh
Re: 89A-PG-64410, 01/06/1998

LEAD (s):

Set Lead 1:

ST. LOUIS

AT ST. LOUIS, MISSOURI

Request any and all records pertaining to [REDACTED]
[REDACTED] W/M, DOB [REDACTED] SSAN [REDACTED] for years of service
in the U.S. Marine Corps.

b6
b7C

♦♦

Accomplishment Report

Accomplishment must be reported and loaded into ISRAA
(within 30 days from date of accomplishment)Date Prepared 1/12/98Date Loaded 1/15/98Data Loader's Initials WmSquad supervisor approval
(please initial)

Accomplishment involves:
(check all that apply)

Drugs ☐
A Fugitive ☐
Bankruptcy Fraud ☐
Computer Fraud/Abuse ☐
Corruption of Public Officials ☐
Forfeiture Assets ☐
Sub Invest Asst by FO (s) ☐

File Number
89A-PG-64410

Stat Agent Soc. Sec. No.

Stat Agent Name

Asst. FO(s) , ,
A, B, C, D

Task Force

Assisting Agencies x •

1.
2. RA STN Squad 10

Assisting Agents Soc. Sec. No. x

1. Name: 2. Name:

Investigative Assistance or Technique Used											
1-Used, but did not help						3 - Helped, substantially					
2 -Helped, minimally						4 - Absolutely essential					
For Sub. Invest. Assist. by other FO (s) indicate A,B,C,D for corresponding FO											
Rate	FO	IAT	Rate	FO	IAT	Rate	FO	IAT	Rate	FO	IAT
		Fin. Analyst			Lab. Div. Exam			UCO - Group I			Ft. Mon.- NRCSC
b6		Aircraft Asst.			Lab. Field Sup			UCO - Group II			For. Lang Asst.
b7C		Computer			Pen Registers			UCO - Nat. Back			Non FBI Lab Ex
		Consen Mon.			Photo Cover.			NCAVC / VI - CAP			
		Elsur / FISC			Polygraph			Crim Intel Asst			
		Elsur / T. III			Search Warrant			Crisis Neg. - Fed.			
		Eng. Field Spt.			Show Money			Crisis Neg. - Local			
		Eng. Tape Ex			SOG Asst.			ERT Asst.			
		Legats Asst.			Swat Team			Butte - ITC			
		Evid Purchase			Tech. Ag/Equip.			Sav - ITC			
		Inf/CW Info			Phone Toll Rec			Poc - WRCSC			

A. Complaint / Information / Indictment

☒ Federal ☐ Local ☐ InternationalComplaint Date 1/6/98☒ Check if Civil Rico Complaint ☐Information Date Indictment Date

B. Locate/ Arrest

☒ Federal ☐ Local ☐ InternationalSubject Priority: ☐ A ☐ B ☒ CLocate Date Arrest Date 1/7/98☐ Subject Resisted Arrest N☐ Subject Arrested was Armed N

C. Summons

☐ Federal ☐ LocalSummons Date

H. Conviction

☐ Federal ☐ Local ☐ InternationalConviction Date: Subject Description Code: • () •

For 6F, G, H--Include Agency Code

☐ Felony Or ☐ Misdemeanor☐ Plea Or ☐ TrialState: Judicial District: D. Hostage(s) Released Date Released by: ☐ Terrorist ☐ OtherNumber of Hostages: Child Located Date

E. Recovery / Restitution / PELP x

☐ Federal ☐ Local ☐ InternationalRecovery Date

Code • Amount

	\$
	\$

Restitution Date ☐ Court Ordered☐ Pretrial Diversion

Code • Amount

	\$
--	----

PELP Date

Code • Amount

	\$
--	----

I. U.S. Code Violations

Required for Sections A, B, F, and H
(Federal only)

Title	Section	# of Counts
18	1126)(1)(B)	1

F. Civil Rico Matters Date

Also Complete Section I

or

Other Civil Matters Date Judgment •Judicial Outcome x •Amount: \$

Suspension:

Years	Months

G. Administrative Sanctions Date Subject Description Code •

Type: Length:

☐ Suspension ☐ Permanent☐ Debarment ☐ Years Months☐ Injunction

Years	Months

J. Sentence Date: Sentence type: •

In-Jail		Suspended		Probation	
Years	Months	Years	Months	Years	Months

Fines: \$

K. Acquittal / Dismissal / Pretrial Diversion

Acquittal Date Dismissal Date Pretrial Diversion Date

L. Subject Information (Required for all Sections excluding Section D and E (Recovery/PELP))

Name	b6	Race •	Sex	Date of Birth	Social Security No. (if available)
<u> </u>	b7C	W	M	<u> </u>	<u> </u>

For Indictments/Convictions only:

- ☐ Subject related to an LCN, Asian Organized Crime (AOC), Italian Organized Crime (IOC) Group-Complete FD-515a, Side 1
- ☐ Subject related to an OC/Drug Organization or a VCMO Program relating to street gangs involved in drugs-Complete FD-515a, Side 2

x Additional information may be added by attaching another form or a plain sheet of paper for additional entries.

• See codes on reverse side.

Serial No. of FD-515

89A-PG-64410-3

For Further Instructions See: MAOP, I, Sections 3-5 thru 3-5.3.

PROPERTY CODES

01 Cash
02 Stocks, Bonds or Negot. Instruments
03 General Retail Merchandise
04 Vehicles
05 Heavy Machinery & Equipment
06 Aircraft
07 Jewelry
08 Vessels
09 Art, Antiques or Rare Collections
11 Real Property
20 All Other

SENTENCE TYPES

CP Capital Punishment
JS Jail Sentence
LS Life Sentence
NS No Sentence (Subject is a Fugitive, Insane, has Died, or is a Corporation)
PB Probation
SJ Suspension of Jail Sentence
YC Youth Correction Act

PELP CODES

22 Counterfeit
Stocks/Bonds/Currency/
Negotiable Instruments
23 Counterfeit/Pirated Sound
Recordings or Motion Pictures
24 Bank Theft Scheme Aborted
25 Ransom, Extortion or Bribe
Demand Aborted
26 Theft From or Fraud Against
Government Scheme Aborted
27 Commercial or Industrial
Theft Scheme Aborted
30 All Other

RACE CODES

A Asian/Pacific Islander
B Black
I Indian/American
U Unknown
W White
X Nonindividual

JOINT AGENCY CODES

ACIS Army Criminal Investigative Service
BATF Bureau of Alcohol, Tobacco & Firearms
BIA Bureau of Indian Affairs
DCAA Defense Contract Audit Agency
DCIS Defense Criminal Investigative Service
DEA Drug Enforcement Administration
DOC Department of Corrections
DOI Dept. of Interior
EPA Environmental Protection Agency
FAA Federal Aviation Administration
FDA Food and Drug Administration
HHS Dept. of Health & Human Services
HUD Dept. of Housing & Urban Development
INS Immigration and Naturalization Service
IRS Internal Revenue Service
NASA Nat'l Aeronautics & Space Admin
NBIS Nat'l NARC Border Interdiction
NCIS Naval Criminal Investigative Service
RCMP Royal Canadian Mounted Police
SBA Small Business Administration
USBP U.S. Border Patrol
USCS U.S. Customs Service
USDS U.S. Department of State
USPS U.S. Postal Service
USSS U.S. Secret Service
USTR U.S. Treasury
LOC Local
CITY City
COUN County
ST State
OTHR Other

JUDGMENT CODES

CJ Consent Judgment
CO Court Ordered Settlement
DF Default Judgment
DI Dismissal
JN Judgment Notwithstanding
MV Mixed Verdict
SJ Summary Judgment
VD Verdict for Defendant
VP Verdict for Plaintiff

JUDICIAL OUTCOME

AG Agreement
BR Barred/Removed
CC Civil Contempt
DC Disciplinary Charges
FI Fine
PI Preliminary Injunction
PR Temporary Restraining Order
PS Pre-filing Settlement
RN Restitution
SP Suspension
VR Voluntary Resignation
OT Other

SUBJECT PRIORITY

A Subject wanted for crimes of violence (i.e., murder, manslaughter, forcible rape) against another individual or convicted of such a crime in the past five years
B Subject wanted for crimes involving loss or destruction of property valued in excess of \$25,000 or convicted of such a crime in the past five years.
C All other subjects.

SUBJECT DESCRIPTION CODES

ORGANIZED CRIME
SUBJECTS

1F Boss
1G Underboss
1H Consigliere
1J Acting Boss
1K Capodecina
1L Soldier

KNOWN CRIMINALS

2A Top Ten or I.O. Fugitive
2B Top Thief
2C Top Con Man

FOREIGN NATIONALS

3A Legal Alien
3B Illegal Alien
3C Foreign Official W/out
Diplomatic Immunity
3D U.N. Employee W/out
Diplomatic Immunity
3E Foreign Student
3F All Others

OTHERS

8A All Other Subjects
8B Company or Corporation

TERRORISTS

4A Known Member of a
Terrorist Organization
4B Possible Terrorist Member
or Sympathizer

UNION MEMBERS

5D President
5E Vice-President
5F Treasurer
5G Secretary/Treasurer
5H Executive Board Member
5I Business Agent
5J Representative
5K Organizer
5L Business Manager
5M Financial Secretary
5N Recording Secretary
5P Office Manager
5Q Clerk
5R Shop Steward
5S Member
5T Trustee
5U Other

GOVERNMENT SUBJECTS

6A Presidential Appointee
6B U.S. Senator/Staff
6C U.S. Representative/Staff
6D Federal Judge/Magistrate
6E Federal Prosecutor
6F Federal Law Enforcement Officer
6G Federal Employee - GS 13 & Above
6H Federal Employee - GS 12 & Below
6J Governor
6K Lt. Governor
6L State Legislator
6M State Judge/Magistrate
6N State Prosecutor
6P State Law Enforcement Officer
6Q State - All Others
6R Mayor
6S Local Legislator
6T Local Judge/Magistrate
6U Local Prosecutor
6V Local Law Enforcement Officer
6W Local - All Others
6X County Commissioner
6Y City Councilman

BANK EMPLOYEES

7A Bank Officer
7B Bank Employee

01/15/98

***** COMPLAINT *****

SENSITIVE / UNCLASSIFIED

Case Number: 89A-PG-64410
Serial No.: 03

Stat Agent Name:
Stat Agent SOC.:

Report Date: 01/15/1998 b6
Accom Date.: 01/06/1998 b7C

Does Accomplishment Involve	Assisting Joint Agencies	Assisting Agents SOC	Subject Name									
Drugs : N			<div style="border: 1px solid black; width: 150px; height: 20px; margin-bottom: 5px;"></div> <table border="0"><tr><td>RA</td><td>Squad</td><td>Task Force</td></tr><tr><td>----</td><td>-----</td><td>-----</td></tr><tr><td>JOHN</td><td>10</td><td></td></tr></table>	RA	Squad	Task Force	----	-----	-----	JOHN	10	
RA	Squad	Task Force										
----	-----	-----										
JOHN	10											
A Fugitive. : N												
Bankruptcy Fraud. : N												
Computer Fraud/Abuse. : N												
Corruption of Public Officials: N												
Forfeiture Assets : N												

Sub. Invest. Asst by Other FOs:

1 = Used, but did not help
2 = Helped, Minimally
3 = Helped, Substantially
4 = Absolutely Essential

Investigative Assistance or Technique Used

FINAN ANALYST	LAB DIV EXAMS	UCO-GROUP I	FT. MON-NRCSC
AIRCRAFT ASST	LAB FIELD SUP	UCO-GROUP II	FOR. LANG ASST
COMPUTER ASST	PEN REGISTERS	UCO-OTHER	NON FBI LAB EX
CONSEN MONITR	PHOTO COVERGE	NCAVC/VI-CAP	VICT-WITN COOR
ELSUR/FISC	POLYGRAPH	CRIM INTEL AST	
ELSUR/III	SRCH WAR EXEC	CRIS NEG-FED	
ENG FIELD SUP	SHOW MONEY	CRIS NEG-LOC	
ENG TAPE EXAM	SOG ASST	ERT ASST	
LEGATS ASST.	SWAT TEAM	BUTTE-ITC	
EVIDNCE PURCH	TECH AG/EQUIP	SAVANNAH-ITC	
INFORMANT/CW	TEL TOLL RECS	POC-WRCSC	

Complaint is for Federal/Local/International (F/L/I)... : F
Civil Rico Complaint (Y/N).....: N

United States Code Violation

Title	Section	Counts
18	115A	1

Accomplishment Narrative

SENSITIVE / UNCLASSIFIED

01/15/98

***** ARREST *****

SENSITIVE / UNCLASSIFIED

Case Number: 89A-PG-64410
Serial No.: 03

Stat Agent Name:
Stat Agent SOC:

Report Date: 01/15/1998
Accom Date.: 01/07/1998

b6
b7C

Does Accomplishment Involve	Assisting Joint Agencies	Assisting Agents SOC	Subject Name									
Drugs : N			<div style="border: 1px solid black; width: 100px; height: 1.2em; margin-bottom: 5px;"></div> <table><thead><tr><th>RA</th><th>Squad</th><th>Task Force</th></tr></thead><tbody><tr><td>----</td><td>-----</td><td>-----</td></tr><tr><td>JOHN</td><td>10</td><td></td></tr></tbody></table>	RA	Squad	Task Force	----	-----	-----	JOHN	10	
RA	Squad	Task Force										
----	-----	-----										
JOHN	10											
A Fugitive. : N												
Bankruptcy Fraud. : N												
Computer Fraud/Abuse. : N												
Corruption of Public Officials: N												
Forfeiture Assets : N												

Sub. Invest. Asst by Other FOs:

1 = Used, but did not help
2 = Helped, Minimally
3 = Helped, Substantially
4 = Absolutely Essential

Investigative Assistance or Technique Used

FINAN ANALYST	LAB DIV EXAMS	UCO-GROUP I	FT. MON-NRCSC
AIRCRAFT ASST	LAB FIELD SUP	UCO-GROUP II	FOR. LANG ASST
COMPUTER ASST	PEN REGISTERS	UCO-OTHER	NON FBI LAB EX
CONSEN MONITR	PHOTO COVERGE	NCAVC/VI-CAP	VICT-WITN COOR
ELSUR/FISC	POLYGRAPH	CRIM INTEL AST	
ELSUR/III	SRCH WAR EXEC	CRIS NEG-FED	
ENG FIELD SUP	SHOW MONEY	CRIS NEG-LOC	
ENG TAPE EXAM	SOG ASST	ERT ASST	
LEGATS ASST.	SWAT TEAM	BUTTE-ITC	
EVIDNCE PURCH	TECH AG/EQUIP	SAVANNAH-ITC	
INFORMANT/CW	TEL TOLL RECS	POC-WRCSC	

Arrest is for Federal, Local, or International (F/L/I).. : F
Arrest Subject Priority (A/B/C)..... : C
Did Subject Resist (Y/N)..... : N
Was Subject Armed (Y/N)..... : N

United States Code Violation

Title	Section	Count
18	115A1	1

Accomplishment Narrative

SENSITIVE / UNCLASSIFIED


Accomplishment Report

accomplishment must be reported and loaded into ISRAA
 within 30 days from date of accomplishment)

Date Prepared

Date Loaded

Data Loader's Initials

 Squad-supervisor approval-
(please initial)

Accomplishment involves: (check all that apply)	
Drugs	<input type="checkbox"/>
A Fugitive	<input type="checkbox"/>
Bankruptcy Fraud	<input type="checkbox"/>
Computer Fraud/Abuse	<input type="checkbox"/>
Corruption of Public Officials	<input type="checkbox"/>
Forfeiture Assets	<input type="checkbox"/>
Sub Invest Asst by FO (s)	<input type="checkbox"/>

Asst. FO(s) , , ,
A, B, C, D

Task Force

Assisting Agencies x ●
1.
2.

File Number
89A-P6-64410

Stat Agent Soc Sec No

--

RA	Squad
JTN	10

Assisting Agents Soc. Sec. No. X

1.	-	-
----	---	---

Name: _____

2.	-	-
----	---	---

Name: _____

Investigative Assistance or Technique Used											
1-Used, but did not help				3 - Helped, substantially							
2 -Helped, minimally				4 - Absolutely essential							
For Sub. Invest. Assist. by other FO (s) indicate A,B,C,D for corresponding FO											
Rate	FO	IAT	Rate	FO	IAT	Rate	FO	IAT	Rate	FO	IAT
		Fin. Analyst			Lab. Div. Exam			UCO - Group I			Ft. Mon.- NRCSC
b6		Aircraft Asst.			Lab. Field Sup			UCO - Group II			For. Lang Asst.
b7C		Computer			Pen Registers			UCO - Nat. Back			Non FBI Lab Ex
		Consen Mon.			Photo Cover.			NCAVC / VI - CAP			
		Elsur / FISC			Polygraph			Crim Intel Asst			
		Elsur / T. III			Search Warrant			Crisis Neg. - Fed.			
		Eng. Field Spt.			Show Money			Crisis Neg. - Local			
		Eng. Tape Ex			SOG Asst.			ERT Asst.			
		Legals Asst.			Swat Team			Butte - ITC			
		Evid Purchase			Tech. Ag/Equip.			Sav - ITC			
		Inf/CW Info			Phone Toll Rec			Poc - WRCSC			

A. Complaint / Information / Indictment

☒ Federal ☐ Local ☐ International

Complaint Date _____

Check if Civil Rico Complaint ☐

Information Date _____

Indictment Date 1/13/98

B. Locate/ Arrest

☐ Federal ☐ Local ☐ International

Subject Priority: ☐ A ☐ B ☐ C

Locate Date _____

Arrest Date _____

☐ Subject Resisted Arrest

☐ Subject Arrested was Armed

C. Summons

☐ Federal ☐ Local

Summons Date _____

H. Conviction

☐ Federal ☐ Local ☐ International

Conviction Date: _____

Subject Description Code: ____ • (_____) •

For 6F, G, H--Include Agency Code

☐ Felony Or ☐ Misdemeanor

☐ Plea Or ☐ Trial

State: _____ **Judicial District:** _____

D. Hostage(s) Released Date _____
Released by: ☐ Terrorist ☐ Other
Number of Hostages: _____
Child Located Date _____

E. Recovery / Restitution / PELP X

☐ Federal ☐ Local ☐ International

Recovery Date _____

Code • Amount

	\$
	\$

Restitution Date _____

☐ Court Ordered

☐ Pretrial Diversion

Code • Amount

	\$
--	----

PELP Date _____	
Code •	Amount
	\$

F. Civil Rico Matters Date _____
Also Complete Section I

or

Other Civil Matters Date _____

Judgment _____ •

Judicial Outcome _____ × •

Amount: \$ _____

Suspension:

Years	Months

G. Administrative Sanctions Date _____

Subject Description Code _____ •

Type: ☐ Suspension ☐ Permanent

☐ Debarment ☐

Years	Months

☐ Injunction

I. U.S. Code Violations
Required for Sections A, B, F, and H
(Federal only)

Title	Section	# of Counts
1B	115 (4) (1) (B)	2

J. Sentence Date: _____

Sentence type: _____ •

In-Jail Years Months		Suspended Years Months		Probation Years Months	

Fines: \$ _____

K. Acquittal / Dismissal / Pretrial Diversion
 Acquittal Date _____
 Dismissal Date _____
 Pretrial Diversion Date _____

		Preliminary Diversion Date _____	b6
L. Subject Information (Required for all Sections excluding Section D and E (Recovery/PELP))			b7C

Name	Race *	Sex	Date of Birth	Social Security No. (if available)
	W	M		

For Indictments/Convictions only:

- ☐ Subject related to an LCN, Asian Organized Crime (AOC), Italian Organized Crime (IOC) Group-Complete FD-515a, Side 1
- ☐ Subject related to an OC/Drug Organization or a VCMO Program relating to street gangs involved in drugs-Complete FD-515a, Side 2

✕ Additional information may be added by attaching another form or a plain sheet of paper for additional entries.

- See codes on reverse side.

Serial No. of FD-515, *4*

89A PG-64410-4

01/15/98

***** INDICTMENT *****

SENSITIVE / UNCLASSIFIED

Case Number: 89A-PG-64410

Serial No.: 04

Stat Agent Name:

Stat Agent SOC.:

Report Date: 01/15/1998

Accom Date.: 01/13/1998

b6
b7C

Does Accomplishment Involve	Assisting Joint Agencies	Assisting Agents SOC	Subject Name
Drugs : N			<div>RA Squad Task Force</div> <div>---- ---- -----</div> <div>JOHN 10</div>
A Fugitive. : N			
Bankruptcy Fraud. : N			
Computer Fraud/Abuse. : N			
Corruption of Public Officials: N			
Forfeiture Assets : N			

Sub. Invest. Asst by Other FOs:

1 = Used, but did not help
2 = Helped, Minimally
3 = Helped, Substantially
4 = Absolutely Essential

Investigative Assistance or Technique Used

FINAN ANALYST	LAB DIV EXAMS	UCO-GROUP I	FT. MON-NRCSC
AIRCRAFT ASST	LAB FIELD SUP	UCO-GROUP II	FOR. LANG ASST
COMPUTER ASST	PEN REGISTERS	UCO-OTHER	NON FBI LAB EX
CONSEN MONITR	PHOTO COVERGE	NCAVC/VI-CAP	VICT-WITN COOR
ELSUR/FISC	POLYGRAPH	CRIM INTEL AST	
ELSUR/III	SRCH WAR EXEC	CRIS NEG-FED	
ENG FIELD SUP	SHOW MONEY	CRIS NEG-LOC	
ENG TAPE EXAM	SOG ASST	ERT ASST	
LEGATS ASST.	SWAT TEAM	BUTTE-ITC	
EVIDNCE PURCH	TECH AG/EQUIP	SAVANNAH-ITC	
INFORMANT/CW	TEL TOLL RECS	POC-WRCSC	

Indictment is for Federal, Local, or International (F/L/I)...: F

U. S. Code Violation(s)

Form FD-515a Side 2:

Investigative Efforts = N

Subject's Role = N/A OR NONE

Scope = X

Title	Section	Counts
18	115A1	2

Accomplishment Narrative

SENSITIVE / UNCLASSIFIED

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)

Tribune-Democrat

Johnstown, PA

Date: 12/21/87

Edition:

Title:

Character:

or 89A-PG-64410

Classification:

Submitting Office:

I'm a political prisoner

On Dec. 3, I placed a message on my answering machine saying that I'm a candidate for Congress in '98. That same day, a letter of mine appeared in this forum saying that I was working on a plan to build a stadium for the Steelers and a snowboard and cross-country skiing recreation area in Indiana-Westmoreland counties. The plan also calls for stormwater containment man-made lakes with condos on lake-fronts.

That same day, I was taken out of my apartment and to Conemaugh Hospital against my will. While there, I was told that I had threatened to kill U.S. Rep. John Murtha and I was supposed to admit I was mentally ill and take medicine. I refused. On Dec. 8, a warrant was issued for my arrest.



Fenton

Since Dec. 3, I've been locked up, mentally abused and had my human rights violated. I've been compared to (Oklahoma City bomber) Timothy McVeigh, who is nothing but a mass murderer.

I'm running for Congress because I don't see anybody out there who has any plans or cares for *all* the people. The top 10 percent have their political puppets, but I'm for the remaining 90 percent - the common folks.

Let my voice be heard, not hearsay. I only love, not hate. Build up, not tear down. Promote life, not death. Care for all, not some. I'm a political prisoner right here in the USA.

Donald Fenton

Cambria County Prison, Ebensburg

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IN 280 (Rev. 12-5-78)

IN 280

The Tribune-Democrat, Johnstown, Pa.

Page A5

Murtha menace to stand trial

By FRANK SOJAK
THE TRIBUNE-DEMOCRAT

A Geistown man will stand trial on charges he threatened to kill U.S. Rep. John Murtha of Johnstown, a Murtha aide, and others.

Donald Lee Fenton, 41, of the 2400 block of Bedford Street, was ordered to stand trial at a preliminary hearing before District Justice Max Pavlovich, Geistown. Fenton is charged by the Stonycreek Township police with making terroristic threats and harassment.

He was returned to the Cambria County Jail in lieu of bail.

The police said Fenton also threatened to kill an employee of a Richland Township insurance company.

Randy Leventry, an insurance adjuster for Erie Insurance Co. in Richland Township testified that Fenton had his vehicle serviced at a garage late last spring. He said the garage removed the oil in the vehicle but failed to put new oil in.

He said the engine was damaged shortly afterward.

He said Fenton made a claim to Erie for the damage and a rebuilt engine was installed in the vehicle. He said Fenton continued to have problems: the rebuilt engine developed problems and the transmission failed because the engine was not installed correctly. He said the insurance company continued to pay for repairs.

He said Fenton called him at his Stonycreek Township home on Dec. 3 and said the engine was leaking oil again and that he was upset about how his claim was being handled.

Leventry said Fenton told him the employees at the garage where the vehicle was being repaired worked for Murtha and, if Fenton went to the garage, he might kill them.

Leventry said Fenton told him that Murtha was behind his problems and it was a conspiracy to ruin him.

According to Leventry, Fenton said he would shoot Murtha, his aide, John Hugya, all the em-

ployees of Erie Insurance and employees of The Tribune-Democrat, the latter because the paper took three months to publish his letter to the Readers' Forum.

Leventry said Fenton also told him that Murtha had stolen Fenton's economic development plans for the area.

Defense attorney Rich Corcoran said the charges should be dismissed. He said Leventry was not terrorized by Fenton's call and didn't immediately hang up and call police. He said he listened to Fenton for 6 to 8 minutes.

He said Fenton was upset over his claim and that one call is not enough to place extreme fear into somebody.

Fenton said after the hearing — just before his attorney asked him not to speak to the news media — that he likes The Tribune-Democrat and that he wouldn't harm anyone.

Murtha said at a press conference when he returned to Johnstown from a trip to Bosnia, that he takes all threats seriously because of a previous incident.

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)
Tribune-Democrat
Johnstown, Pa.
Date: 12/24/87
Edition:
Title:
Character:
or
Classification: 89A-PC-64410
Submitting Office:

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File

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)

TRIBUNE-DEMOCRAT
JOHNSTOWN, PADate: 12/24/97
Edition:

Title:

Character:

or

Classification: 89A-PC-64410
Submitting Office:**Pavlovich court**

The following is a list of the more serious criminal dispositions reported by District Justice Max Pavlovich, Geistown, for the period Dec. 8-12:

Donald L. Fenton, 41, of Bedford Street, Johnstown, was charged with making terroristic threats and harassment. Disposition pending.

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FD-350 (Rev. 12-5-78)

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(Indicate page, name of newspaper, city and state.)

TRIBUNE-DEMOCRAT
JOHNSTOWN, PA

Date: 12/24/97

Edition:

Title:

Character:

or

Classification: 89A-PG-64410

Submitting Office:

Murtha taking threats on himself seriously

THE TRIBUNE-DEMOCRAT

U.S. Rep. John Murtha, D-Johnstown, said Tuesday that he takes a recent threat by a Stonycreek Township man seriously.

Federal authorities are investigating threats against the congressman by Donald Lee Fenton. Fenton was charged Dec. 11 with threatening to kill his insurance agent.

At a press conference at the Johnstown-Cambria County Airport, Murtha told reporters that, at one time, he did not give threats much attention.

Then several years ago, a man had threatened Murtha's life, the congressman disclosed Tuesday.

It wasn't until the man killed his wife and then himself that Murtha began to pay more attention to the threats.

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WHL
FBI/DOJ

(Mount Clipping in Space Below)

Feds add charges against city man

Already held on complaint of threats

BY DEBRA S. MOFFITT
THE TRIBUNE-DEMOCRAT

Federal officials issued an arrest warrant Tuesday afternoon for Donald Lee Fenton, a Stonycreek Township man, accused of threatening U.S. Rep. John Murtha's life.

Fenton, 41, of the 2400 block of Bedford St., remains at the Cambria County Jail, where he has been since last month when he was arrested on state charges of making terroristic threats and harassing an insurance agent. The new federal charge of

threatening to assault and murder a U.S. official was expected to be added to those charges.

A federal complaint charging Fenton details the threats he is charged with making.

The complaint says: Fenton threatened to "blow Congressman Murtha's head off" and kill Richard Township insurance agent Randy Leventry and everyone in Leventry's Erie Insurance office on Dec. 3.

Please see **THREAT**, A4



Donald Fenton
Allegedly threatened Murtha

In a conversation with Leventry, Fenton said Oklahoma City bomber Timothy McVeigh was his hero and that Murtha was the source of all his problems.

Leventry was handling an insurance claim for damage done to Fenton's truck by Carmen Wholesale Tires. Fenton grew frustrated that repeated repairs had to be made after the garage failed to refill the truck's engine with new oil after removing the old oil.

He accused Leventry of being in a conspiracy with Murtha because of all the truck's problems, the complaint says.

During the Dec. 3 talk, Fenton told Leventry he purchased a gun and a lot of bullets and would be using them, the complaint says.

Leventry told federal officials Fenton seemed focused on carrying out an act of violence. When Leventry asked Fenton if the threats were his way of reaching out for help, Fenton replied, "Tell it to CNN."

In a later interview with an FBI agent, Fenton claimed Murtha, a Johnstown Democrat, and Murtha's aide, John Hugya, placed him under surveillance, stole his ideas about the city's revitalization and carried out a series of "dirty tricks" against him, according to the complaint.

After the interview, Fenton agreed to voluntarily enter a hospital for evaluation. On the way there, he told a police officer: "Murtha won again. It's all about that article in the paper," according to the complaint.

The complaint didn't specify which newspaper story Fenton was referring to.

Fenton, interviewed again Dec. 11 by an FBI agent, said he didn't own a gun or ammunition and doesn't believe in violence.

Fenton will appear in U.S. District Court in Johnstown Friday at 2 p.m. for a preliminary examination, a hearing to assess whether the federal government has met its burden of probable cause. For the charge to stick, a federal grand jury must indict him within 30 days.

(Indicate page, name of newspaper, city and state.)
Tribune - Democrat

Date: **1/7/97**
Edition:

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Title: **John P. Murtha - member of Congress - visited 12/3/97**
Character: **SSA - PG - 64410**
or

Classification:
Submitting Office:

39A-76-64410-9

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/18/1997

[redacted] Officer, Stonycreek Township Police Department, 1610 Bedford Street, Johnstown, PA, 266-3111, provided a copy of the Offense Report, Arrest Warrant, and Complaint regarding [redacted] Officer [redacted] also provided a copy of a September 15, 1997, Complaint, #09-15-97-048, regarding a possible threat made by [redacted] to [redacted], Erie Insurance Company, College Park Plaza, Johnstown, PA. A copy of these reports is attached and made a part hereto. b6 b7C

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(6.1)

Investigation on <u>12/11/97</u> at <u>Johnstown, PA</u>		89A-PG-64410-10	
File # <u>89A-PG-64410</u>	b6 b7C	Date dictated <u>12/18/97</u>	JAN 23 1998
by SA <u>[redacted]</u>	FBI - PITTSBURGH		

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

STONYCREEK TWP. POLICE DEPT.
1610 Bedford Street
Johnstown, PA 15902
(814) 266-3111

OFFENSE REPORT

(TO INCLUDE ATTEMPTS)

CASE
1-NUMBER 12-03-97-060

COMPLAINT
NUMBER 12-03-97-07

3-OFFENSE Terroristic Threats				6-SHIFT/TIME 1600-2400		7-DATE REPORT FILED 03Dec97	
1-DATE AND TIME OF OCCURRENCE 03Dec97 1841hrs				10-PLACE OF OCCURRENCE			
10-VICTIM (IF FIRM, NAME AND TYPE OF BUSINESS) LAST FIRST MIDDLE				11-HOME ADDRESS		12-HOME PHONE	
				13-BUSINESS ADDRESS SAME AS HOME		14-BUSINESS PHONE 262-3282	
15-SEX Male		16-AGE 42		17-RACE White		18-OCCUPATION Erie Insurance	
20-REPORTED BY (NAME AND RELATIONSHIP TO VICTIM) LAST FIRST MIDDLE				21-HOME ADDRESS		22-HOME PHONE	
SAME AS BOX # 10						b6	
23-SOCIAL SECURITY				24-BUSINESS ADDRESS		25-BUSINESS PHONE	
						b7C	
26-RELATIONSHIP				28-MEANS OF ATTACK (WEAPONS - TOOLS USED)			
27-HOW ATTACKED (WHERE ENTERED, FROM WHERE STOLEN)				29-VEHICLE USED (YEAR, COLOR, MAKE, TYPE, LICENSE)			
29-OBJECT OF ATTACK (MOTIVE - TYPE OF PROPERTY STOLEN)							

1-DETAILS OF OFFENSE (STATE FULLY ALL OTHER CIRCUMSTANCES OF THIS OFFENSE)

WHO — WHAT — WHEN — WHERE — WHY — HOW

SEE ATTACHED SUPPLEMENTAL REPORT

32-THIS OFFENSE IS DECLARED-		33-INVESTIGATING OFFICERS		34-DATE/TIME COMPLAINT RECEIVED	
UNFOUNDED	<input type="checkbox"/>	EXCEPTIONALLY CLEARED	<input type="checkbox"/>	03Dec97 1841	
CLEARED BY ARREST	<input checked="" type="checkbox"/>	INACTIVE (NOT CLEAR)	<input type="checkbox"/>	35-REPORT TYPED BY	
36-W. C.		37-FOLLOW UP NEEDED		38-SIGNATURE	
		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		Chief Gore	

WHITE - Central Records BLUE - Officers PINK - Office YELLOW - Detention

SUPPLEMENTAL REPORT

CASE # 12-03-97-060

DATE 04 DEC 97

On 03 Dec 97, This officer was working patrol, on the 4 to 12 shift in Stonycreek Township.

On this date at or about 1841 hrs. This officer received a phone call from [redacted] of [redacted] stated that he is an [redacted] with Erie Insurance Group. [redacted] works out of his home at [redacted] Stonycreek Township.

[redacted] stated that he received a phone call from a person who I.D. himself as [redacted]. Also note that [redacted] has spoken to [redacted] on the phone on several different occasions. It seems that [redacted] has a claim against Erie Insurance. [redacted] stated that there was some damage done to [redacted] vehicle, and that Erie Insurance is paying for that damage. (note- [redacted] was having work done to his vehicle at Carmens Tires and Carmens Tires did in fact cause damage to [redacted] engine. Erie insurance has replaced the engine). Two days ago [redacted] vehicle started leaking oil, so [redacted] contacted [redacted] about the leak. [redacted] told [redacted] to take his vehicle to Laurel Ford for repair. [redacted] did so. Then according to [redacted] contacted [redacted] this date and stated that his vehicle was losing more oil, and he wants his vehicle fixed. [redacted] stated to [redacted] to take his vehicle back to Laurel Ford to get it checked out.

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At this point [redacted] stated that [redacted] became very hostile. [redacted] stated that he is sick and tired of the way he is being treated.

[redacted] then started to make threats. [redacted] stated that he just bought a gun and had ammo, and that Timmoty McVEIGH is his hero, and McVEIGH is famous and I [redacted] will be famous too. [redacted] then stated that he knows where [redacted] lives and he can get him anytime he wants. [redacted] then threaten [redacted] and stated that he was going to kill [redacted]. Then [redacted] stated that he was going to kill everyone that worked at the Erie Insurance Office in Richland. [redacted] made statements that, THAT THEY WILL ALL DIE, IM GOING TO KILL EVERYONE. [redacted] then stated after he was done with them he was going to Congressman MURTHA's office and, BLOW HIS FUCKING HEAD OFF. Then he stated that he was going to kill [redacted]. [redacted] stated that they all will be dead.

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[redacted] then stated to [redacted] that [redacted] and MURTHA are behind all of [redacted] problems.

The phone call ended, and that is when [] contacted the Police.

ATTACHED IS THE ORIGINAL NOTE OF THE PHONE CALL, AND A WRITTEN STATEMENT FROM []

At this point Patrol contacted the Geistown P.D. and advised there Officer of the situation and asked to meet with them. The meeting took place at Geitowns P.D. building.

When this office arrived at Geitowns Building, Richland P.D. was contacted and advised about the threats that were made towards the Employee of the Erie Insurance Group, located in Richland.

Then Patrol contacted [] and advised him of the threats that were made against him and Congressman MURTHA.

Patrol contacted CRISIS about they situation and the threats made against the people listed. Patrol made plans to meet with CRISIS at the Orchard Hotel.

Patrol then contacted the F.B.I. Agent [] Patrol advised [] of the situation.

Patrol along with other units arrived at the Orcard Hotel, (that is were [] is living) After a short time Patrols went to meet with [] Patrol asked [] if we could enter his room and talk with him. Right after we entered the room CRISIS arrived on scene [] CRISIS spoke with [] in great lenghs about why we were all there, and about the threats that were made. During the interview with CRISIS, [] stated that he was at war with the Government, namely [] and Congressman John MURTHA. MURTHA and [] are using pyscological warfare on [] They are making me crazy. [] stated that when you are at war, people die and people get hurt. Whenyou are at war, you have to protect yourself and do what ever it takes to win, if you have to threaten people then that is what is done. That is what war is all about.

At first [] denide making any threats against anyone, then [] stated that they being Erie Insurance Threaten me first, so when you are at war you threaten back.

[] was asked who is behind all of your problems with your vehicle and with Erie Insurance, [] stated that MURTHA and [] are the ones.

[] then stated that there are people following him all the time and they are harassing him where ever he goes. [] was asked who is doing this, [] stated that MURTHA and [] are doing this. [] then stated that this is warfare and the only way they can win is if Im dead or in jail for ever, that is why we are there tonight.

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At time [] agreed to go to the Hospital to talk with a Doctor about the situation.

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[] was transported to the Conemaugh Hospital by the Officer. A 302 form was signed by this officer and [] was placed in the Hospital on a involuntary commitment.

Patrol cleared from the Hospital, and contacted all the above listed victims of the threats and advised them of the situation.

CHARGES ARE AS FOLLOWS -

1 COUNT- TERRORISTIC THREATS - SECTION 2706; M.1

1 COUNT- HARASSMENT - SECTION 2709, A-3; SUMMARY

TIMES ARE AS FOLLOWS -

[] CALL	1841
RESPONDING TO []	1848
RESPONDING TO GEISTOWN P.D.	1928
RICHLAND P.D. CONTACTED	1935
[] CONTACTED	1940
CRISIS CONTACTED	1955
F.B.I. CONTACTED	2000
ARRIVED ORCHARD HOTEL	2011
TALKING WITH [] Crisis Patrol	2030
ENROUTE TO CON. HOSPITAL	2113
OUT OF HOSPITAL	2123
CLEARED FROM HOSPITAL	2210

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END OF THIS REPORT.

Defendant's Name: Donald Lee BERTON

Docket Number:

POLICE
CRIMINAL COMPLAINT

AFFIDAVIT of PROBABLE CAUSE

1. This Affiant is a Municipal Police Officer with the Stonycreek Township Police Department, with 5+ years of law enforcement experience.
2. On 03 Dec 97 at or about 1841hrs. This Affiant was contacted by [redacted] an [redacted] from Erie Insurance. [redacted] stated that he received a phone call from one [redacted], of [redacted] Johnstown, Pa. 15904. During the phone conversation, [redacted] stated that he [redacted] purchased a gun and bullets and was going to shoot [redacted] FUCKING HEAD OFF, and then he going to shoot MURTHAS (Congressman John MURTHA) fucking head off. During the phone call [redacted] then stated that he was going to KILL everyone that worked at Erie Insurance (Richland Township). [redacted] then added during the phone call that he would KILL and or HURT [redacted] so [redacted] better lock his doors. [redacted] stated that this might not happen tonight or tomorrow but it will happen.

I, Officer [redacted], BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

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Sworn to me and subscribed before me this _____ day of _____, 19____.

_____, Date _____, District Justice

My commission expires first Monday of January, _____.

2002

SEAL



COMMONWEALTH OF PENNSYLVANIA

COUNTY OF CAMBRIA

To any authorized person:

In the name of the Commonwealth of Pennsylvania, you are commanded to
take into custody **DOB:** [REDACTED] **M WHITE**

(Name):

(Address):

JOHNSTOWN, PA 15904

If the defendant be found in said Commonwealth and bring the defendant
before us at [REDACTED]

(Address):

JOHNSTOWN, PA 15904-1709

to answer the Commonwealth or **STONYCREEK TWP**
(Political Subdivision)

upon the complaint or citation of
charging the defendant with **18 §2706 §§**

TERRORISTIC THREATS

and further to be dealt with according to law, and for such purposes this
shall be your sufficient warrant.

Witness the hand and official seal of the issuing authority on this

day of **DEC - 8 1997**

SEAL [REDACTED]

Magisterial District No.: **47-2-01** Amount required to satisfy
sentence:

Citation No.: Fine: \$

FILED: 12/08/97 Costs: \$

Docket No.: **CR-0000855-97** Other: \$

OTN: F 118539-1 Total: \$

Amount needed to satisfy collateral: \$

Reason for warrant: **MISDEMEANOR**

COPY : DEFENDANT

RETURN WHERE DEFENDANT IS FOUND

By authority of this warrant

_____ 19 _____

☐ I took into custody the within named

☐ He is now at liberty on bail posted
before _____

☐ in the _____
_____ jail.

☐ before you for disposition.

☐ I accepted a guilty plea and
collected **b6**
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\$ _____
for fine and costs.

☐ I accepted a not guilty plea and
collected \$ _____
for collateral.

☒ I accepted the fine and costs due
in the amount of
\$ _____

(Signature of Officer - Name & Title)

RETURN WHERE DEFENDANT IS NOT FOUND

After careful search, I cannot find
the within named defendant

SIGNATURE

NAME

TITLE

WARRANT OF ARREST

WARRANT CONTROL NO.:

7565815

DOCKET NUMBER:

CR-0000855-97

COMMONWEALTH
OF
PENNSYLVANIA

VS.

OFFENSE DATE **12/03/97**

CHARGE

18 §2706 §§

I acknowledge that I am voluntarily
and knowingly pleading guilty. I paid
to the officer the fine and costs stated
in the warrant in the amount of

\$ _____

(Defendant's Signature)

I acknowledge that I am voluntarily
and knowingly pleading not guilty.
I paid to the officer the collateral for
my appearance at trial stated in
warrant in the amount of

\$ _____

(Defendant's Signature)

Officer's costs:

Warrant _____

Miles @ \$ _____

Commitments _____

Miles @ \$ _____

Conveying to hearing _____

Miles @ \$ _____

Total _____

12/08/97
47-2-01DISTRICT JUSTICE SYSTEM
COMMONWEALTH OF PENNSYLVANIAPAGE 1
ADDITIONAL CHARGES

WARRANT OF ARREST

COMMONWEALTH OF PENNSYLVANIA

CR-0000855-97

VS

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CHARGE

DESCRIPTION

18 \$2709 SSA3 HARASSMENT

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF: CAMBRIA

Magisterial District Number:	47-2-01
District Justice Name: Hon.	
Address:	
	JOHNSTOWN, PA. 15904
Telephone:	
Docket No.: Cr-855-97	
Date Filed: 12-8-97	
OTN: F118539-1	



COMMONWEALTH OF PENNSYLVANIA

VS.

DEFENDANT:

NAME and ADDRESS

--

--

Defendant's Race/Ethnicity <input checked="" type="checkbox"/> White <input type="checkbox"/> Asian <input type="checkbox"/> Black <input type="checkbox"/> Hispanic <input type="checkbox"/> Native American <input type="checkbox"/> Unknown	Defendant's Sex <input type="checkbox"/> Female <input checked="" type="checkbox"/> Male	Defendant's D.O.B. [Redacted]	Defendant's Social Security Number [Redacted]	Defendant's SID [Redacted]
Defendant's AKA [Redacted]	Defendant's Vehicle Information: Plate Number [Redacted] State [Redacted] Registration Sticker(MM/YY) [Redacted]		Defendant's Driver's License Number [Redacted] State Pa [Redacted]	
Complaint/Incident Number 12-03-97-060	Complaint/Incident Number if other Participants			UCR/NIBRS Code

District Attorney's Office ☐ Approved ☐ Disapproved because:

(The district attorney may require that the complaint, arrest warrant affidavit, or both be approved by the attorney for the Commonwealth prior to filing. Pa.R.Cr.P. 107.)

(Name of Attorney for Commonwealth - Please Print or Type)	(Signature of Attorney for Commonwealth)	(Date)
I, Officer [Redacted]	[Redacted]	[Redacted]
(Identify Department or Agency Represented and Political Subdivision)	(Police Agency ORI Number)	(Originating Agency Case Number (OCA))
of Stonycreek Township Police Department PA 0114000		

do hereby state: (check the appropriate box)

1. ☒ I accuse the above named defendant who lives at the address set forth above
☐ I accuse the defendant whose name is unknown to me but who is described as _____

☐ I accuse the defendant whose name and popular designation or nickname is unknown to me and whom I have therefore designated as John Doe

with violating the penal laws of the Commonwealth of Pennsylvania at [Redacted]

Johnstown Pa. 15902 (Stonycreek Township)

in Cambria County on or about 03 DEC97

Participants were: (if there were participants, place their names here, repeating the name of above defendant)

--	--	--

2. The acts committed by the accused were: LISTED BELOW.

(Set forth a summary of the facts sufficient to advise the defendant of the nature of the offense charged. A citation to the statute allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section and subsection of the statute or ordinance allegedly violated.)

Terroristic Threats- Pa. Crimes Code, Section 2706- (M 1), 1count

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Defendant [Redacted] did threaten to shot with a firearm and kill [Redacted] ERIE Insurance Employee (Richland Office), [Redacted] and Congressman John MURTHA, which resulted in an effort to terrorize [Redacted] this act resulted in or causing a serious alarm of serious bodily injury and or death.

(Continuation of No. 2)

Defendant's Name:	
Docket Number:	Cr-855-97 otn #F118539-1



Harassment- Pa. Crimes Code, Section 2709, Sub. A-3, (Summary)
1 count

Defendant [redacted] did with intent to harass, annoy and or alarm [redacted] to wit, Defendant [redacted] did engage in a course of conduct by making threats to kill and shot [redacted] ERIE Insurance Employee (Richland Office), [redacted] and Congressman John MURTHA. This act alarm and or seriously annoy such person [redacted] and which severed no legitimate purpose.

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THESE CHARGES ARE FILED ON INFORMATION RECEIVED THROUGH A POLICE INVESTIGATION.

all of which were against the peace and dignity of the Commonwealth of Pennsylvania and contrary to the Act of Assembly, or in violation of

1. <u>2706</u> (Section)	<u>-</u> (Subsection)	of the <u>Pa. Crimes Code</u> (PA Statute)	<u>1</u> (counts)
2. <u>2709</u> (Section)	<u>A-3</u> (Subsection)	of the <u>Pa. Crimes Code</u> (PA Statute)	<u>1</u> (counts)
3. _____ (Section)	_____ (Subsection)	of the _____ (PA Statute)	_____ (counts)
4. _____ (Section)	_____ (Subsection)	of the _____ (PA Statute)	_____ (counts)

3. I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I have made. (In order for a warrant of arrest to issue, the attached affidavit of probable cause must be completed and sworn to before the issuing authority.)

4. I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the (Pa. Crimes Code, Section 4904) relating to unsworn falsification to authorities.

12-5, 1997
DEC - 8 1997
AND NOW, on this date _____, 19____, I certify that the complaint has been properly completed and verified. An affidavit of probable cause must be completed in order for a warrant to issue.

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47-2-01

(Magisterial District)

SEAL

1—COMPLAINANT'S NAME [REDACTED] Supervisor		5—DATE 09-15-97	6—COMPLAINT NUMBER 09-15-97-048
2—ADDRESS Erie Insurance Co 100 College Park Plaza		7—LOCATION OF COMPLAINT Oakland	
3—PHONE [REDACTED]		8—NATURE OF COMPLAINT Information/possible threat	
9—BY [REDACTED]	10—PERSON [REDACTED]	11—TIME 860	12—TOTAL TIME STENT 1605
13—DETAILS OF COMPLAINT		14—TIME 1612	15—TOTAL TIME STENT 7 min
<p>Complainant requested to report for record/awareness re claim paid by Erie to [REDACTED] Insured, Carmen's Wholesale Tire. [REDACTED] vehicle mechanical work by Carmen's Wholesale Tire. [REDACTED] vehicle damaged accidentally after mechanical work completed. Restitution by Erie Ins. Group to [REDACTED] re vehicle engine installation.</p> <p>This date, and approx. 1355 hr. [REDACTED] telephoned Erie office and talking to complainant informed "It took me along time, but I found out where each of you live!" "I will be paying you a visit!" This statement directed to complainant and three other employees, one who resides in Township namely [REDACTED] is an adjuster for Erie Insurance Group. Various police agencies including Dept. made aware re disparaging statement.</p> <p>[REDACTED] resides apt, Orchard Hotel. Further, [REDACTED] self employed contractor name of "ANY HAND" additional [REDACTED]</p>			
19—DISPOSITION			
20—ASSIST BY			

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/18/1997

[redacted] DOB [redacted] Social Security Number [redacted] Johnstown, PA 15902, [redacted] was contacted and interviewed.

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[redacted] was advised of the identity of the interviewing Agent and the nature of the interview concerning telephone death threats directed toward himself, Congressman JOHN P. MURTHA, and [redacted] made by [redacted] on December 3, 1997.

[redacted] is employed as an [redacted] by Erie Insurance Company (EIC), Claims Office, College Park Plaza, Johnstown, PA, [redacted] thereafter provided the following information:

[redacted] advised on June 2, 1997, their insured, Carmen's Wholesale Tires (CWT), 1801 Bedford Avenue, Johnstown, PA, performed an oil change on a 1983 Ford Ranger truck owned by [redacted]. During the course of the work performed, oil was not added to the engine which subsequently caused damage to the engine. Initially, CWT admitted their mistake and attempted to locate a used replacement engine, without submitting an insurance claim. However, after failing to locate a used engine and the request by [redacted] for a rental vehicle until his vehicle was repaired, CWT submitted a claim to EIC.

[redacted] advised on June 5, 1997, EIC became officially involved. CWT ordered a rebuilt replacement engine for [redacted] vehicle and he [redacted] approved the order and replacement of the engine. [redacted] added he did not feel as if the vehicle was worth the cost of a rebuilt engine; however, the engine would be covered under a two-year warranty. On June 9, 1997, [redacted] was contacted by [redacted] who advised that he had retained an attorney to represent him in this matter.

On June 11, 1997, [redacted] contacted [redacted] to advise that work on his vehicle had been completed and that there would be no cost to [redacted] for the repair. During that call, [redacted] who is a self-employed contractor, claimed he incurred a loss of \$10,000 in lost wages. [redacted] provided a list of customers that he had previously contracted to perform work, however without his vehicle was unable to perform the work.

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Investigation on 12/12/97 at Johnstown, PA

File # 89A-PG-64410

Date dictated 12/18/97

by SA [redacted]

6.1

89A-PG-64410-11

SEARCHED	GEN.	INDEXED
SERIALIZED	FILED	
JAN 23 1998		
FBI — PITTSBURGH		

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89A-PG-64410

Continuation of FD-302 of [REDACTED]

, On 12/12/97

, Page 2

[REDACTED] advised on June 17, 1997, he was again contacted by [REDACTED] who advised the engine in his truck had locked-up. On June 24, 1997, the vehicle was taken to John's Auto, Windber, PA, for repair and on July 1, 1997, [REDACTED] was advised that the problem was related to the transmission. During the repair of the engine, the pilot bearing was not installed which subsequently caused transmission failure. [REDACTED] advised he authorized the replacement of the transmission. Subsequently, on July 3, 1997, [REDACTED] was contacted by [REDACTED] who advised that the truck had again broken down and he was working in Hooversville, PA. [REDACTED] arranged to have the vehicle towed to Laurel Ford, Windber, PA, where it was determined that the head gasket had failed. [REDACTED] admitted that he "could see how he had a problem," due to the continuing problems associated with his vehicle.

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[REDACTED] further advised on July 7, 1997, CWT provided [REDACTED] with a loaner van so [REDACTED] could continue to work. However, while driving the loaner van, [REDACTED] was stopped by the police for operating a vehicle with an expired registration and an improper load. [REDACTED] stated that [REDACTED] was then provided with a rental vehicle which was delivered to [REDACTED] while he was working in Hooversville, PA. [REDACTED] vehicle was repaired and on July 16, 1997, [REDACTED] retrieved the vehicle at Laurel Ford which remained operable for several months.

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[REDACTED] advised on September 5, 1997, [REDACTED] EIC, met with [REDACTED] regarding [REDACTED] claim for lost wages as a result of problems with his vehicle. [REDACTED] offered [REDACTED] a settlement of the claim for loss of use based upon 23 days @ \$30 per day. [REDACTED] stated [REDACTED] reluctantly agreed to the settlement; however, shortly thereafter he began making threats toward employees of EIC. [REDACTED] advised the threats consisted of statements by [REDACTED] that he "knew where people lived and would pay them a visit." In addition, [REDACTED] added employees of EIC observed [REDACTED] on several occasions drive into the parking lot and enter the building where the EIC Claims Office is located in Richland Township. However, [REDACTED] added [REDACTED] never entered the building nor did he make any threats to do any harm to anyone.

89A-PG-64410

Continuation of FD-302 of [REDACTED]

, On 12/12/97

, Page 4

in Vietnam, had seen people die, is ready to die." "This is war and he would defend himself, maybe not today or tomorrow, but someday." [REDACTED] added [REDACTED] again related he "had a gun and a lot of bullets, and was going to use them." [REDACTED] added "The Government is our enemy, look at TIM MCVEIGH, he's my hero." [REDACTED] advised he told [REDACTED] he [REDACTED] did not want this to happen, [REDACTED] replied "It's going to happen." [REDACTED] responded by telling [REDACTED] he hoped this was his way of reaching out to someone, to which [REDACTED] replied "Tell that to CNN." [REDACTED] advised he told [REDACTED] he [REDACTED] would have to make a call or two, and [REDACTED] replied "I figured that," at which point the telephone call ended. [REDACTED] stated he then notified the police regarding these threats.

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[REDACTED] stated based upon this telephone conversation, he believed [REDACTED] was not just blowing off steam, but he may carry out his threats in the future. [REDACTED] added [REDACTED] was too focused on what he felt he had to do not to be taken seriously.

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/18/97

JAMES A. MOCK, Chief, Richland Township Police
Department (RTPD), 322 Schoolhouse Road, Johnstown, PA,
(814) 266-8333, provided a copy of RTPD Incident Report #976215
relating to the December 3, 1997, telephone threat made by [redacted] (X)

[redacted] toward [redacted] Congressman JOHN P. MURTHA, and
[redacted] A copy of this report is attached and made a part b6
hereto. b7C

Investigation on 12/17/97 at Johnstown, PA

(telephonically)

File # 89A-PG-64410b6
b7CDate dictated 12/18/97 JAN 23 1998

by SA [redacted]

FBI PITTSBURGH



Richland Township Police Department

322 Schoolhouse Road
Johnstown, Pennsylvania 15904
Phone: (814) 266-8333
FAX: (814) 266-4736

JAMES A. MOCK
Chief of Police

FACSIMILE INFORMATION SHEET

DATE: December 11, 1997
TO: O.I.C. FBI Johnstown
FROM: Chief James A. Mock RPD
TELEPHONE FAX NUMBER: 814-536-8107
NUMBER OF PAGES INCLUDING COVER: 3 PAGE SIZE:
DESCRIPTION:

As per your request copies of our incident report # 976215

CONFIDENTIAL INFORMATION NOTICE

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Richland Police Department Incident Report

Complainant:			911 #:
Address:	STONEYCREEK PD	Follow Up: Yes No	Richland #: 970006215
City:	Zip:	Date: 12-03-97 Zone: TWO	
Phone:	Time Received: 1915	Time Completed: 1945	
Location: ERIE INS. COLLAGE PK	Badge:	Approved By: <i>[Signature]</i>	
Nature of Call: THREATS- WARNING			Class: <i>b6 b7C</i>

THE ABOVE TOOK A COMPL. FROM A [REDACTED] OF [REDACTED] JOHNSTOWN PA. [REDACTED] WORKS FOR ERIE INS. CLAIMS AND WAS CALLED BY [REDACTED] WHO STATED HE BOUGHT A GUN AND ENOUGH AMMO TO KILL EVERYONE IN OFFICE AND THEN HE WAS GOING TO KILL MURTHA AND [REDACTED] AT SAME TIME.

WE ARE BEING MADE AWARE OF THIS BECAUSE OF THE ERIE OFFICE IN THE COLLEGE PARK PLAZA 2ND FLOOR.

Richland Police Department Incident Report

Complainant: Officer		Continuation Incident
Badge #:	Approved By:	
Continuation of Info./MUST BE ATTACHED TO ORIGINAL		Richland #: 970006215

At the direction of badge [REDACTED] patrol responded to the Orchard Hotel to assist Geistman, P.D. and Stonycreek P.D. w/ having a [REDACTED] involuntary committed under Act #302 by Cambria County Mental Health.

Patrol was tied up on this assist from 1930 hrs. to 2131 hrs.

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[REDACTED] was subsequently admitted to Conemaugh Hospital under Act #302

Richland Police Department Incident Report

Complainant: <u>BADGE</u>	<u>CAR 880</u>	Continuation Incident
Badge #: <u> </u>	Approved By: <u> </u>	
Continuation of Info./MUST BE ATTACHED TO ORIGINAL		Richland #: <u>97-6215</u>
<u>THIS OFFICER ASSISTED CARS 860 + 845 AT THE ORCHARD</u>		
<u>HOTEL IN DEALING WITH <u> </u> THIS OFFICER STOOD</u>		
<u>BY UNTIL UNITS HAD MR <u> </u> UNDER CONTROL.</u>		

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Richland Police Department Incident Report

Complainant: <u>STONEYCREEK TWP. P.D.</u>	Continuation Incident
Badge #: <u> </u>	Approved By: <u> </u>
Continuation of Info./MUST BE ATTACHED TO ORIGINAL	
Richland #: <u>97 621</u>	
<u>PATROL ASSISTED IN TALKING TO <u> </u></u>	
<u>and stood by until <u> </u> voluntarily was</u>	
<u>transported.</u>	

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- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 1/7/1998

[redacted] Johnstown, Pennsylvania (PA), [redacted] was apprised of the identity of the interviewing Agent. [redacted] was advised that the Federal Bureau of Investigation (FBI) was conducting an investigation into a possible threat against JOHN P. MURTHA and others. An acquaintance of [redacted] was charged for making terroristic threats against Congressman MURTHA and others. [redacted] was advised he was being interviewed regarding any information he may be able to supply regarding [redacted] [redacted] thereafter advised the interviewing Agent as follows:

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[redacted] advised he has known [redacted] since approximately 1979 as he met him through mutual friends. [redacted] stated he and [redacted] hung out in some of the bars in Johnstown, PA, together and [redacted] advised it has been 15 years since he has had any contact or conversation with [redacted] [redacted] stated [redacted] has a drug problem and is a frequent user of cocaine and marijuana. [redacted] advised [redacted] finances his drug habit through various scams he perpetrates on individuals. [redacted] stated approximately eight to ten years ago, he was aware that [redacted] worked as an enforcer for a local drug dealer by the name of [redacted] [redacted] advised he used to see these two together on numerous occasions. [redacted] advised since that time, [redacted] was arrested and did time in jail. [redacted] stated he was aware, through the media, of [redacted] involvement in these threats against Congressman MURTHA and advised [redacted] thinks he is smarter than everyone else. [redacted] stated [redacted] will cool down since the heat is presently on him regarding making these threats against Congressman MURTHA and others; however, he will erupt again in the form of an act of violence against these individuals. [redacted] advised he cannot predict when this may occur; however, he did state [redacted] has a very strong desire to be famous. [redacted] went on to state in the early 1980s, [redacted] participated in the Battle of Brawlers, which was held at the War Memorial, Johnstown, PA. [redacted] advised this was simply a spectacle which involved street fighting in a ring. [redacted] stated [redacted] participated in this event and made it through to the finals when he was beaten by a "ringer." [redacted] stated as a result of [redacted] participation in the Battle of the Brawlers, he [redacted] loved the notoriety and attention of being associated as a "bad ass." [redacted] stated that even though the

b6
b7CInvestigation on 12/17/1997 at Johnstown, PAFile # 89A-PG-64410Date dictated 12/17/1997by SA [redacted] dmy

89A-PG-64410

Continuation of FD-302 of [REDACTED]

, On 12/17/1997, Page 2

police or FBI may have searched the room where [REDACTED] was residing, it is his belief [REDACTED] may utilize a storage facility to hide contraband. [REDACTED] thereafter provided the following description of [REDACTED] "thief," "bully," "scam artist," "living in a world of delusion," and finally he believes [REDACTED] may have a continuing pattern of "mental deterioration." [REDACTED] stated the only other individual whom [REDACTED] may presently associate with is [REDACTED] stated [REDACTED] is a former sparing partner of [REDACTED] and in addition is a dope user and does some contracting work in the Johnstown area. [REDACTED] could provide no further information regarding the possible location of [REDACTED]

At the conclusion of the interview, [REDACTED] turned over to the interviewing Agent a hand-written letter and map which purportedly show an area where he believes [REDACTED] to either be buying drugs or maintaining a storage facility while [REDACTED] was working at a garage in close proximity to this area. This letter and map are being maintained in the 1A section of this file.

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At the conclusion of the interview, [REDACTED] cooperation was solicited by the interviewing Agent in an attempt to maintain a current intelligence base on the activities of [REDACTED] advised although he has not talked to him in 15 years, he could be in a position to provide the FBI with any more information regarding the threats made against Congressman MURTHA or any other individuals.

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 1/7/1998

SA [] United States Capitol Police, 119 D Street, N.E., Washington, D.C., (202) 224-1495, was advised by the interviewing Agent that the medical records regarding [] were express mailed to her this date. SA [] was also advised the interviewing Agent talked to [] earlier in the day. SA [] was advised of the results of that interview, in particular that [] was aware of [] recent problems and [] was advised [] read on [] was that he would cool down and probably erupt again in the form of an act of violence against the Congressman and possibly others. [] was also advised [] stated [] has a very strong desire to be famous. Based upon the results of [] interview, the interviewing Agent provided the results telephonically to SA [] this date.

b6
b7CInvestigation on 12/17/1997 at Johnstown, PAFile # 89A-PG-64410

b6

Date dictated 12/17/1997

b7C

by SA [] dmy

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 1/10/1998

[redacted] Officer, Stonycreek Township Police Department, 1610 Bedford Street, Johnstown, PA, (814) 266-3111, provided a copy of the December 5, 1997, written statement of [redacted] regarding his telephone conversation with [redacted] which occurred on December 3, 1997. Office [redacted] also provided a copy of [redacted] notes taken during said telephone conversation with [redacted]. Copies of the notes and statement are attached and made a part hereto.

b6
b7CInvestigation on 1/7/98 at Johnstown, PAFile # 89A-PG-64410b6
b7C

Date dictated

1/10/98by SA [redacted]

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89A-PG-64410-15

SEARCHED	GEN	FOIMS
SERIALIZED	INDEXED	
JAN 23 1998		

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Phone call from [redacted] on my business
line on 12-3-97 at about 11:00 PM

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[redacted] told me he had purchased a gun
and bullets and he was going to kill some
people.

He said Congressman John Murtha is behind
the problems he is having in his life. He said
Mr. Murtha is conspiring with The Insurance Co,
the Tribune Democrat to ruin him.

I went over the details of his claims with
him right up to the latest development, an even
worse oil leak than he had prior to taking the
truck to Laurel Ford 2 days ago. He said now there
is oil coming out the dipstick tube and "shooting
everywhere".

He said he was going to shoot [redacted]
f---ing head off. He said he was going to shoot
Murtha's f---ing head off.

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He said he had an article in the readers forum
of the Tribune Democrat paper today. I told him
I had read it. He said he had submitted that
letter 3 months ago and it took this long for them
to publish it. He said he would go down there
with "Guns blazing".

He said people are fed up with our government.
He said look at Tim McVeigh. He said Tim McVeigh
was his hero.

CONT.

[redacted] phone call 12-3-97 (cont) Page 2

COPY

[redacted] again brought up Congressman Murtha. He said Murtha stole his ideas about the Johnstown area recovery plan. He said something about [redacted]. He said the next phase of the recovery is an overhead transportation system? (I'm not sure of the exact terms he used) He said Murtha is using psychological tactics, That Murtha has to kill him now since he [redacted] knows so much. He said he just got a gun and bullets.

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I tried to reason with [redacted], asked him if he had spoken to a pastor or priest about the way he was feeling. He said he did. He said he knows the Lord would not condone killing people but said the Lord would forgive him and forget it. He said if the government declared war on him he has to "start taking a body count."

I told him I didn't want this to happen, that there is help for him. He said he was desperate, that he hadn't eaten in 3 days, that his business is ruined, he has no money. I told him there is assistance available for those in need, asked if he had sought assistance. He said no he didn't.

He then said he was going up to the Erie claims office and is going to kill everyone (cont)

[redacted] phone call 12-3-97 (cont) p. 3

working there. He said he may not kill me but that I should consider keeping my doors locked because he can't say what might happen when he gets started. He said it might not happen today, might not happen tomorrow but it will happen. He emphasized will happen.

The subject turned back to Congressman Murtha. He said when he is killed after he does his killing there is a tape he has produced. It is a video tape. The tape is detrimental to Congressman Murtha. He said the tape will be sent out to the media.

I asked [redacted] if he had ever sought help for depression. He said he has never been depressed a day in his life. He said he has seen death and is not afraid of it. He said he was in Viet Nam in '75 and saw some of his friends die.

I got back on the subject of his truck. I asked if it would be possible to take the truck in for a check of the latest oil leak since the engine has a two year warranty. He said Laurel Ford is working for Murtha. Laurel Ford made his truck worse on Monday when (cont)

[redacted] phone call 12-3-92 (cont) p 4
they repaired it. He said ~~the~~ people
at Laurel Ford are liars if they said
the oil leak was repaired. He said if
he goes to Laurel Ford he may start
killing people there. b6
b7C

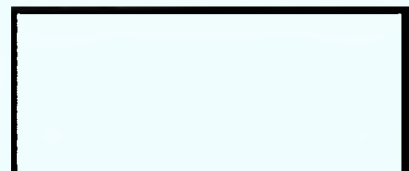
I told [redacted] I hoped this conversation
was his attempt to reach out for help.
He said "Tell CNN That". He said
he can't go on, that he must defend
himself. He said he doesn't know
when it will happen, but it will.

I thanked him for calling to advise
me of his intentions. I told him I
would have to call the police. He said
he understood that.

Conversation over.

His tone was angry and desperate at
times. I was unable to reason with him.
He seemed focused on the end to his
current situation and his life and he
expressed the desire to take as many
people as possible with him. I took
his threats seriously and am especially
fearful of his statement that the killing
may not happen today or tomorrow but it
will happen. He has stated in the past that
he knows where myself and several other

COPY



phone call 12-3-97 Pgs

eric employees live. He said at that time
he would be paying us a visit.

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b7c

This is the statement I provided to the
Stonycreek Township police on 12-5-97

Said he spoke to ^{his} pastor and

If Govt:

Declared war on him, he has to

Pennsylvania Hunting & Trapping

Regulations

July 1, 1997 - June 30, 1998

I'm going to kill everyone at



License No:

Purchased at:

Officer

b6
b7C

Good reading enjoyment
sure to please the entire
family . . .

Gun & Bullets
& Going to kill
Some people

Pennsylvania

Murtha conspires with
Ins cos, Tribune etc.

GAME NEWS

Killing people till
they die

Went over the claim
... a monthly magazine
packed with all the latest

in hunting and wildlife
and what the Pennsylva-
nia Game Commission
has to offer outdoor kids
of all ages.

b6
b7C



Stole the Economic Recovery plan

Just got a gun & bullets.
Murtha using psychological tactics

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 10/1998

[redacted] U.S. Pretrial Services,
822 Moorehead Federal Building, Pittsburgh, PA 15222,
(412) 395-4562, provided a copy of a Cambria County Probation
report, Cambria County Case #0314-80, regarding [redacted]
A copy of this report is attached and made a part hereto.

b6
b7CInvestigation on 1/8/97 at Johnstown, PA (telephonically)File # 89A-PG-64410 b6 Date dictated 1/10/98

by SA [redacted] b7C

89A-PG-64410-16

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 1/10/1998

[redacted] Detective, Richland Township Police Department (RTPD), 322 School House Road, Johnstown, PA 15904, provided copies of three separate RTPD incident reports involving [redacted] dated June 13, 1994, July 2, 1996, and July 28, 1996, respectively. Copies of these incident reports are attached and made a part hereto.

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(X)

Investigation on 1/9/98 at Johnstown, PAFile # 89A-PG-64410b6
b7CDate dictated 1/10/98

by SA [redacted]

89A-PG-64410-17

SEARCHED	GEN	FOIMS
SERIALIZED	INDEXED	
FILED		
JAN 23 1998		
FBI - PITTSBURGH		

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Incident Report (Black Print Only)

Report Number

PRG

1. Incident or Offense SIMPLE ASSAULT 2701						2. Offense Code (Office Use Only) K L M N O P Q R S T U V W X Y Z						Report Number						3. Incident Code											
4. Victim or Complainant												5. Race W						6. Sex F		7. Date of Birth Age 1									
8. Victim's Address Johnstown, PA												Zip Code 15904						9. Home Phone						10. Work Phone N/A					
11. Reported By												12. Relationship Father						13. Home Phone						14. Work Phone					
15. Address Johnstown PA												Zip Code 15904						16. Date Reported 6-13-94						17. Time Reported 1630					
Where Occurred:		18. House or Block No.				19.		20. Street Name or Number				21. St., Rd., Etc. ST				22. Apt. No.		23. Reporting Area Richland				24. Zone 2							
When Occurred:		25. Date 6-13-94				26. Time 1200		27. Date				28. Time		29. Day of Week (Circle) Unk S M T W T F S 0 1 2 3 4 5 6 7				30. Time of Day (Circle) Unk Day Night 0 1 2				31. Weather Conditions Clear							
Race Codes: (W) White (I) American Indian (C) Chinese (H) Hispanic (B) Black (J) Japanese (O) Other												32. Report Taken At <input checked="" type="checkbox"/> Scene <input type="checkbox"/> Station <input type="checkbox"/> Tele. <input type="checkbox"/> Other (Specify)																	
33. List Property <input type="checkbox"/> Stolen * <input type="checkbox"/> Recovered * <input type="checkbox"/> Lost <input type="checkbox"/> Found *(Code in Block 34)												34. Summarize and Code Property Stolen and/or Recovered																	
Description of Property												Serial #		\$ Value															
NO PROPERTY LOSS																													
Total Value of <input type="checkbox"/> Stolen <input type="checkbox"/> Lost Property												\$																	
Total Value of <input type="checkbox"/> Recovered <input type="checkbox"/> Found Property												\$																	
Vehicle: Make				Model				Year				Estimated \$ Value				35. Operation ID <input type="checkbox"/> Yes <input type="checkbox"/> No				36. Victim Desires Security Survey? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Completed									
License No.				State				Yr. of Exp.				VIN Number				37. Identification and Other Services: <input type="checkbox"/> None <input type="checkbox"/> Agent Admin. No.													
Color				Other Identifying Information												<input type="checkbox"/> Assisting Officer(s) Admin. No. Admin. No. Admin. No.													
																<input type="checkbox"/> Latents <input type="checkbox"/> Photos <input type="checkbox"/> Investigator Admin. No. Admin. No.													
<input type="checkbox"/> Stolen <input type="checkbox"/> Suspect <input type="checkbox"/> Impounded				Entered NCIC				Cleared NCIC				<input type="checkbox"/> Rescue _____ <input type="checkbox"/> Crane <input type="checkbox"/> Photo-Fit <input type="checkbox"/> Fire Equipment																	
<input type="checkbox"/> Recovered <input type="checkbox"/> Victimized <input type="checkbox"/> Seized				<input type="checkbox"/> Yes <input type="checkbox"/> No				<input type="checkbox"/> Yes <input type="checkbox"/> No				<input type="checkbox"/> Coroner <input type="checkbox"/> Other [Specify] _____																	
38. Witness Information																													
Name						Home Address						Brief Summary of Information Provided Saw the actor grab the																	
Home Phone						Work Phone						Work Address																	
Name						Home Address						Brief Summary of Information Provided b6 b7C																	
Home Phone						Work Phone						Work Address																	
39. Name of Reporting Officer						Signature of Reporting Officer						40. Admin. No.																	
41. Name of Investigator Assigned												42. Admin. No.																	
43. Case Status (Must Circle One) (Supervisory Use Only) 1.Unassigned 2.Open/Pending 3.Suspended 4.Closed												44. Case Disposition (Supervisory Use Only) <input type="checkbox"/> 1. Unfounded <input type="checkbox"/> 2. Cleared by Arrest - Adult <input type="checkbox"/> 3. Cleared by Arrest - Juvenile <input type="checkbox"/> 4. Cleared Exceptionally - Adult <input type="checkbox"/> 5. Cleared Exceptionally - Juvenile																	

45. Flash Messages <input type="checkbox"/> None <input type="checkbox"/> No. <input type="checkbox"/> All Cars <input type="checkbox"/> County				46. Incident Code							
47. Subject #1 <input type="checkbox"/> Arrestee <input checked="" type="checkbox"/> Suspect <input type="checkbox"/> Warrant on File <input type="checkbox"/> Runaway/Missing Person <input type="checkbox"/> Juvenile—Petitions Pending—Released with Warning				48. Subject #2 <input type="checkbox"/> Arrestee <input type="checkbox"/> Suspect <input type="checkbox"/> Warrant on File <input type="checkbox"/> Runaway/Missing Person <input type="checkbox"/> Juvenile—Petitions Pending—Released with Warning							
Name		S.S.N.		Name		S.S.N.					
Address Orchard Hotel Bedford St JTWN				Address							
Race	Sex	Age	DOB	POB*	Race	Sex	Age	DOB	POB*		
W	M	40									
HT	WT	Eyes	Hair	Complexion	Marks or Scars	HT	WT	Eyes	Hair	Complexion	Marks or Scars
Other Identifying Information (Nicknames, physical characteristics, etc.)						Other Identifying Information (Nicknames, physical characteristics, etc.)					
Occupation (School & Grade if Juvenile) *Must be completed for Juveniles						Occupation (School & Grade if Juvenile) *Must be completed for Juveniles					
Dress and other Descriptors						Dress and other Descriptors					
Father or Legal Guardian*				Notified*		Father or Legal Guardian*				Notified*	
				<input type="checkbox"/> Yes <input type="checkbox"/> No						<input type="checkbox"/> Yes <input type="checkbox"/> No	
Address*				Phone*		Address*				Phone*	
				Home Work						Home Work	
Mother*				Notified*		Mother*				Notified*	
				<input type="checkbox"/> Yes <input type="checkbox"/> No						<input type="checkbox"/> Yes <input type="checkbox"/> No	
Address*				Phone*		Address*				Phone*	
				Home Work						Home Work	
49. Systems Entry: <input type="checkbox"/> None <input type="checkbox"/> Clean <input type="checkbox"/>				<input type="checkbox"/> NCIC		50. Systems Entry: <input type="checkbox"/> None <input type="checkbox"/> Clean <input type="checkbox"/>				<input type="checkbox"/> NCIC	
51. NARRATIVE: (1) Continuation of above items, including additional Witnesses and Suspects (2) Describe details of incident including M.O., evidence, possible motivation, veracity of complainant or witnesses, etc.						Victim/Complainant willing to prosecute? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Undecided					
The comp reports that in the afternoon of 6-13-94 his [redacted] was grabbed by his [redacted]. Upon returning home he was informed that her arm was injured. Spoke to the Vicitm who informed this officer that she had injured her arm on 6-12-94 when she was tripped by suspect 1. She states and her [redacted] state that it appeared as an accident. Today she states that her [redacted] suspect 1 cmae over and was palying with [redacted] she had said some thing to suspect 1 when suspect 1 seemed to be getting mad and grabbed the victim by the back of head in the hair and acted like he was going to slam her head into the											
52. SOLVABILITY FACTORS:											
Yes No				Yes No							
<input type="checkbox"/> a. Can a suspect be named?				<input type="checkbox"/> f. Can suspect vehicle be identified?							
<input type="checkbox"/> b. Is the suspect known?				<input type="checkbox"/> g. Was a unique or unusual M.O. employed?							
<input type="checkbox"/> c. Can suspect be identified?				<input type="checkbox"/> h. Was there significant evidence?							
<input checked="" type="checkbox"/> d. Has suspect been seen before?				<input type="checkbox"/> i. Is property traceable?				b6			
<input type="checkbox"/> e. Was there a witness to the crime?				<input type="checkbox"/> j. Was there a minimum delay in reporting?				b7C			
				<input type="checkbox"/> k. Is there a significant reason to believe crime may be solved with a reasonable amount of investigative effort?							
53. Is one or more of the solvability factors present in this report? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				54. Signature of Patrol Supervisor				55. Admin. No.			
Recommend follow-up by: <input type="checkbox"/> Patrol <input type="checkbox"/> CID <input type="checkbox"/> Other (Specify) <input type="checkbox"/> None				56. Signature of Oper. Case Review Off.				57. Admin. No.			
				58. Signature of CID Supervisor				59. Admin. No.			

ADDITIONAL INFORMATION

page _____ of _____ pages

Incident or Offense SIMPLE ASSAULT	REPORT NUMBER R-4(10)-6941-633
Victim or complaint [Redacted]	

b6
b7C

If this is additional information to a previously submitted report, include date, time and how information was received (telephone, letter, in person, etc.).

table. Victim states that she was thrashing to get out of it and believes that it is during this that she reinjured her arm. The babysitter was to have been watching in disbelief. All of a sudden he stopped and then left the house. The babysitter informed the parents as to the incident. The father confronted the suspect via phone regarding the incident to which he denied anything happened. Victim take to conemaugh hospital to have the arm looked at. Hospital personel stated that they would contact Child Services.

Date 6-13-94	Reporting Officer(Print) [Redacted]	Signature [Redacted]	Admin. No. [Redacted]
------------------------	--	-------------------------	--------------------------

ADDITIONAL INFORMATION

page _____ of _____ pages

Incident or Offense Simple Assault	b6 b7C	REPORT NUMBER R-4(D)694-033
Victim or complaint [redacted]		

If this is additional information to a previously submitted report, include date, time and how information was received (telephone, letter, in person, etc.)

On June 21, 1994 at 1239 hours I contacted the victim's father at work. He stated that the incident, "wasn't what it appeared to be". he indicated that [redacted] would do anything for the children and he has, including taking them shopping and swimming, etc. Mr. [redacted] is of the opinion that his ex-wife is trying to blow this incident out of proportion so that she can come back on him at some later date. He stated that he does not agree with anyone hurting a child, but he stated that [redacted] assured him that he did not strike the child but he did admit to shaking her. At this time Mr. [redacted] does not want to pursue this offense and I advised him that it will remain open and if there are any other problems this investigation and what ever the new problem is will be actively investigated.

Date 6-21-94	Reporting Officer(Print) [redacted]	Signature [redacted]	b6 b7C Admin. No. [redacted]
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RICHLAND TWP. POLICE DEPARTMENT - 322 School House Rd., PA 15904

Incident Report (Black Print Only)

Report Number

b6
b7C

1. Incident or Offense SIMPLE ASSAULT 2701				2. Offense Code (Office Use Only) K 4 10 7 5 6 0 0 5				3. Incident Code 960 003 54																																																																																																																														
4. Victim or Complainant								5. Race W		6. Sex F		7. Date of Birth																																																																																																																										
8. Victim's Address JOHNSTOWN, PA								9. Home Phone 15904		10. Work Phone N/A																																																																																																																												
11. Reported By D.O.B. AGE 34								12. Relationship FATHER		13. Home Phone		14. Work Phone																																																																																																																										
15. Address JOHNSTOWN, PA								16. Zip Code 15904		17. Date Reported 07-02-96		18. Time Reported 1920 HRS																																																																																																																										
Where Occurred:		18. House or Block No.		19.		20. Street Name or Number		21. St., Rd., Etc.		22. Apt. No.		23. Reporting Area 2																																																																																																																										
When Occurred:		25. Date 07-02-96		26. Time 1745		27. Date		28. Time		29. Day of Week (Circle) Unk S M T W T F S 0 1 2 3 4 5 6 7		30. Time of Day (Circle) Unk Day Night 0 1 2																																																																																																																										
31. Weather Conditions CLEAR		32. Report Taken At <input type="checkbox"/> Scene <input checked="" type="checkbox"/> Station <input type="checkbox"/> Tele.								33. List Property <input type="checkbox"/> Stolen <input type="checkbox"/> Recovered <input type="checkbox"/> Lost <input type="checkbox"/> Found *(Code in Block 34)																																																																																																																												
34. Summarize and Code Property Stolen and/or Recovered												1. Stolen Local 2. Stolen Local/Recovered Local 3. Stolen Local/Recovered Elsewhere 4. Stolen Elsewhere/Recovered Locally																																																																																																																										
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">Description of Property</th> <th rowspan="2">Serial #</th> <th rowspan="2">\$ Value</th> <th rowspan="2">S/R Codes</th> <th rowspan="2">Property Classification</th> <th colspan="2">Stolen</th> <th colspan="2">Recovered</th> </tr> <tr> <th># Items</th> <th>\$ Value</th> <th># Items</th> <th>\$ Value</th> </tr> </thead> <tbody> <tr><td></td><td></td><td></td><td></td><td>A. Currency, Notes, Etc.</td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>B. Jewelry, Precious Metals</td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>C. Clothing and Furs</td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>D. Motor Vehicles</td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>E. Office Equipment</td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>F. TV, Radios, Cameras, Etc.</td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>G. Guns, Firearms</td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>H. Household Goods</td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>I. Consumable Goods</td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>J. Livestock (Not Include Hsehold Pets)</td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>K. Miscellaneous (Include Hsehold Pets)</td><td></td><td></td><td></td><td></td></tr> <tr><td colspan="5">TOTALS ...</td><td></td><td></td><td></td><td></td></tr> </tbody> </table>												Description of Property	Serial #	\$ Value	S/R Codes	Property Classification	Stolen		Recovered		# Items	\$ Value	# Items	\$ Value					A. Currency, Notes, Etc.									B. Jewelry, Precious Metals									C. Clothing and Furs									D. Motor Vehicles									E. Office Equipment									F. TV, Radios, Cameras, Etc.									G. Guns, Firearms									H. Household Goods									I. Consumable Goods									J. Livestock (Not Include Hsehold Pets)									K. Miscellaneous (Include Hsehold Pets)					TOTALS ...									Stolen—Recovered Codes (Insert Code No. in this column)	
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Total Value of <input type="checkbox"/> Stolen <input type="checkbox"/> Lost Property \$ Total Value of <input type="checkbox"/> Recovered <input type="checkbox"/> Found Property \$				35. Operation ID <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				36. Victim Desires Security Survey? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Completed																																																																																																																														
Vehicle: Make _____ Model _____ Year _____ Estimated \$ Value _____ License No. _____ State _____ Yr. of Exp. _____ VIN Number _____ Color _____ Other Identifying Information _____				37. Identification and Other Services: <input checked="" type="checkbox"/> None <input type="checkbox"/> Agent _____ Admin. No. _____																																																																																																																																		
<input type="checkbox"/> Stolen <input type="checkbox"/> Suspect <input type="checkbox"/> Impounded <input type="checkbox"/> Entered NCIC <input type="checkbox"/> Cleared NCIC <input type="checkbox"/> Recovered <input type="checkbox"/> Victimized <input type="checkbox"/> Seized <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No				<input type="checkbox"/> Assisting Officer(s) _____ Admin. No. _____ <input type="checkbox"/> Latents <input type="checkbox"/> Photos <input type="checkbox"/> Investigator _____ Admin. No. _____ <input type="checkbox"/> Rescue _____ <input type="checkbox"/> Crane <input type="checkbox"/> Photo-Fit <input type="checkbox"/> Fire Equipment <input type="checkbox"/> Coroner <input type="checkbox"/> Other (Specify) _____																																																																																																																																		
38. Witness Information																																																																																																																																						
Name _____				Home Address _____				Brief Summary of Information Provided																																																																																																																														
Home Phone _____				Work Phone _____				Work Address _____																																																																																																																														
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41. Name of Investigator Assigned _____				42. Admin. No. _____				44. Case Disposition (Supervisory Use Only) <input type="checkbox"/> 1. Unfounded <input type="checkbox"/> 2. Cleared by Arrest - Adult <input type="checkbox"/> 3. Cleared by Arrest - Juvenile <input type="checkbox"/> 4. Cleared Exceptionally - Adult <input type="checkbox"/> 5. Cleared Exceptionally - Juvenile																																																																																																																														

45. Flash Messages		<input type="checkbox"/> None <input type="checkbox"/> No <input type="checkbox"/> All C <input type="checkbox"/> County		46. Incident Code			
47. Subject #1				48. Subject #2			
<input type="checkbox"/> Suspect <input type="checkbox"/> Warrant on File <input type="checkbox"/> Runaway/Missing Person <input type="checkbox"/> Arrestee <input type="checkbox"/> Juvenile-Petitions Pending-Released with Warning				<input type="checkbox"/> Suspect <input type="checkbox"/> Warrant on File <input type="checkbox"/> Runaway/Missing Person <input type="checkbox"/> Arrestee <input type="checkbox"/> Juvenile-Petitions Pending-Released with Warning			
Name		S.S.N.		Name		S.S.N.	
Address				Address			
ORCHARD HOTEL						b6 b7C	
Race	Sex	Age	DOB	POB	Race	Sex	Age
WHITE	MALE	39					
HT	WT	Eyes	Hair	Complexion	HT	WT	Eyes
Other Identifying Information (Nicknames, physical characteristics, etc.)				Other Identifying Information (Nicknames, physical characteristics, etc.)			
Occupation (School & Grade if Juvenile) *Must be completed for Juveniles				Occupation (School & Grade if Juvenile) *Must be completed for Juvenile			
Dress and other Descriptors				Dress and other Descriptors			
Father or Legal Guardian*				Notified*			
				<input type="checkbox"/> Yes <input type="checkbox"/> No			
Address*		Phone*		Address*		Phone*	
		Home Work				Home Work	
Mother*		Notified*		Mother*		Notified*	
		<input type="checkbox"/> Yes <input type="checkbox"/> No				<input type="checkbox"/> Yes <input type="checkbox"/> No	
Address*		Phone*		Address*		Phone*	
		Home Work				Home Work	
49. Systems Entry:		<input type="checkbox"/> None <input type="checkbox"/> Clean <input type="checkbox"/>		50. Systems Entry:		<input type="checkbox"/> None <input type="checkbox"/> Clean <input type="checkbox"/>	
		<input type="checkbox"/> NCIC				<input type="checkbox"/> NCIC	
51. NARRATIVE: (1) Continuation of above items, including additional witnesses and suspects (2) Describe details of incident including M.O., evidence, possible motivation, veracity of complainant or witnesses, etc.				Victim/Complainant willing to prosecute?			
				<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Undecided			
<p>_____ responded to this office and spoke with this Officer in regard to a assault to _____ reported that on this date at approx. 1745hr he was in the shower and his _____ and _____ the witness, _____ were down stairs watching television. _____ walked in and started talking with his loud voice. _____ asked him to be quite because they could not hear the television. _____ then went over and grabbed _____ by the hair and drugged her and then struck her in the face with his hand. After the assault he left and _____ went up stairs and got her father. _____ looked at her face and noticed it to be reddened from the strike. This was on her left side. She was not complaining of any pain and was not medically treated. _____ then responded to report this at the office. He was more interested in getting a P.F.A. against _____ Patrol explained to him that he would have to hire a attorney to seek a P.F.A.. Patrol explained what charges could be filed against _____ and he was not sure if he wanted any filed. He will contact this Officer after he speaks with a attorney.</p>							
52. SOLVABILITY FACTORS:							
Yes No <input checked="" type="checkbox"/> a. Can a suspect be named? <input checked="" type="checkbox"/> b. Is the suspect known? <input checked="" type="checkbox"/> c. Can suspect be identified? <input checked="" type="checkbox"/> d. Has suspect been seen before? <input checked="" type="checkbox"/> e. Was there a witness to the crime?				Yes No <input checked="" type="checkbox"/> f. Can suspect vehicle be identified? <input checked="" type="checkbox"/> g. Was a unique or unusual M.O. employed? <input checked="" type="checkbox"/> h. Was there significant evidence? <input checked="" type="checkbox"/> i. Is property traceable? <input checked="" type="checkbox"/> j. Was there a minimum delay in reporting? <input checked="" type="checkbox"/> k. Is there a significant reason to believe crime may be solved with a reasonable amount of investigative effort?			
53. Is one or more of the solvability factors present in this report?				54. Signature of Patrol Supervisor		55. Admin. No.	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Recommend follow-up by: <input checked="" type="checkbox"/> Patrol <input type="checkbox"/> CID <input type="checkbox"/> Other [Specify] <input type="checkbox"/> None				<input type="checkbox"/> Concur <input type="checkbox"/> Recommend _____ <input type="checkbox"/> Concur <input type="checkbox"/> Recommend _____ <input type="checkbox"/> Concur <input type="checkbox"/> Recommend _____		56. Signature of Case Review Off. 57. Admin. No. 58. Signature of CID Supervisor 59. Admin. No.	

Incident or Offense

SIMPLE ASSAULT

REPORT NUMBER

R4D796005

b6

b7C

Victim or complaint

Reported by _____ (Father)

If this is additional information to a previously submitted report, include date, time and how information was received (telephone, letter, in person, etc.)

On 07-26-96 at approx. 1130 hours Patrol made contacted with _____ in regards to the assault on _____ by _____. _____ stated that he did contact a attorney in regards to this offense and told him that charges would have to be filed and he could get a P.F.A. against _____. _____ stated that since the incident happened _____ has not had any contact with him or his family. He stated that at this time he does not wish to press any charges against _____ but if a incident does happen again he will file charges. At this time this offense can be considered closed.

Date

07-26-96

Reporting Officer(Print)

Admin. No.

RICHLAND TWP. POLICE DEPARTMENT - 322 School House Rd. A 15904

Incident Report (Black Print Only)

Report Number

1. Incident or Offense
TERR. THREATS, DC, HARASS. 5503, 2709

2. Offense Code (Office Use Only)

3. Incident Code

4. Victim or Complainant
2706

5. Race
WHI

6. Sex
M

7. Date of Birth

8. Victim's Address
JOHNSTOWN PA.

Zip Code
15904

9. Home Phone

10. Work Phone

11. Reported By
SECOND VICTIM

12. Relationship

13. Home Phone

14. Work Phone
b6

15. Address
JOHNSTOWN PA.

Zip Code
15904

16. Date Reported
07-28-96

17. Date Reported
1304 hr

Where Occurred:
18. House or Block No.

19. Street Name or Number

21. St., Rd., Etc.

22. Apt. No.

23. Reporting Area

When Occurred:
25. Date
07-28-96

26. Time
1304

27. Date

28. Time

29. Day of Week (Circle)
Unk (S) M T W T F S
0 (1) 2 3 4 5 6 7

30. Time of Day (Circle)
Unk (Day) Night
0 (1) 2

31. Weather Condition
SUNNY

Race Codes: (W) White (I) American (C) Chinese (H) Hispanic
(B) Black Indian (J) Japanese (O) Other

32. Report Taken At
☒ Scene ☐ Station ☐ Tele. ☐ Other (Specify)

33. List Property ☐ Stolen ☐ Recovered ☐ Lost ☐ Found
(Code in Block 34)

34. Summarize and Code Property Stolen and/or Recovered

Stolen-Recovered Codes
(Insert Code No. in this column)

1. Stolen Local
2. Stolen Local/Recovered Local
3. Stolen Local/Recovered Elsewhere
4. Stolen Elsewhere/Recovered Locally

S/R Codes	Property Classification	Stolen		Recovered	
		# Items	\$ Value	# Items	\$ Value
	A. Currency, Notes, Etc.				
	B. Jewelry, Precious Metals				
	C. Clothing and Furs				
	D. Motor Vehicles				
	E. Office Equipment				
	F. TV, Radios, Cameras, Etc.				
	G. Guns, Firearms				
	H. Household Goods				
	I. Consumable Goods				
	J. Livestock (Not Include Hsehold Pets)				
	K. Miscellaneous (Include Hsehold Pets)				
TOTALS...					

Total Value of ☐ Stolen ☐ Lost Property \$
Total Value of ☐ Recovered ☐ Found Property \$

35. Operation ID
☐ Yes ☐ No

36. Victim Desires Security Survey?
☐ Yes ☐ No ☐ Completed

37. Identification and Other Services: ☐ None ☐ Agent Admin. No.

☐ Assisting Officer(s) Admin. No. Admin. No. Admin. No.

☐ Latents ☐ Photos ☐ Investigator Admin. No. Admin. No.

☐ Rescue ☐ Crane ☐ Photo-Fit ☐ Fireb6 ipment

☐ Coroner ☐ Other (Specify) b7C

Color
BLUE "ANY-HAND" CONSTRUCTION SIGN

☐ Stolen ☒ Suspect ☐ Impounded ☐ Entered NCIC ☐ Cleared NCIC
☐ Recovered ☐ Victimized ☐ Seized ☐ Yes ☒ No ☐ Yes ☐ No

38. Witness Information

Name	Home Address	Brief Summary of Information Provided
Home Phone	Work Phone	
Work Address		
Name	Home Address	Brief Summary of Information Provided
Home Phone	Work Phone	
Work Address		

39. Name of Reporting Officer

40. Admin. No.

43. Case Status (Must Circle One) (Supervisory Use Only)
1. Unassigned 2. Open/Pending 3. Suspended 4. Closed

41. Name of Investigator Assigned

42. Admin. No.

44. Case Disposition (Supervisory Use Only)
☐ 1. Unfounded ☐ 2. Cleared by Arrest - Adult
☐ 3. Cleared by Arrest - Juvenile
☐ 4. Cleared Exceptionally - Adult
☐ 5. Cleared Exceptionally - Juvenile

46. Flash Messages		<input checked="" type="checkbox"/> None		<input type="checkbox"/> No.		<input type="checkbox"/> County		46. Incident Code		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	
47. Subject #1										48. Subject #2											
<input type="checkbox"/> Suspect <input type="checkbox"/> Warrant on File <input type="checkbox"/> Runaway/Missing Person <input type="checkbox"/> Arrestee <input type="checkbox"/> Juvenile-Petitions Pending-Released with Warning										<input type="checkbox"/> Suspect <input type="checkbox"/> Warrant on File <input type="checkbox"/> Runaway/Missing Person <input type="checkbox"/> Arrestee <input type="checkbox"/> Juvenile-Petitions Pending-Released with Warning											
Name					S.S.N.					Name					S.S.N.						
Address										Address											
Race		Sex		Age		DOB		POB*		Race		Sex		Age		DOB		POB*			
HT	WT	Eyes	Hair	Complexion	Marks or Scars					HT	WT	Eyes	Hair	Complexion	Marks or Scars						
Other Identifying Information (Nicknames, physical characteristics, etc.)										Other Identifying Information (Nicknames, physical characteristics, etc.)											
Occupation (School & Grade if Juvenile) *Must be completed for Juveniles										Occupation (School & Grade if Juvenile) *Must be completed for Juveniles											
Dress and other Descriptors										Dress and other Descriptors											
Father or Legal Guardian*					Notified*					Father or Legal Guardian*					Notified*						
					<input type="checkbox"/> Yes <input type="checkbox"/> No										<input type="checkbox"/> Yes <input type="checkbox"/> No						
Address*					Phone*					Address*					Phone*						
					Home Work										Home Work						
Mother*					Notified*					Mother*					Notified*						
					<input type="checkbox"/> Yes <input type="checkbox"/> No										<input type="checkbox"/> Yes <input type="checkbox"/> No						
Address*					Phone*					Address*					Phone*						
					Home Work										Home Work						
49. Systems Entry:					<input type="checkbox"/> None <input type="checkbox"/> Clean <input type="checkbox"/>					50. Systems Entry:					<input type="checkbox"/> None <input type="checkbox"/> Clean <input type="checkbox"/>						
					<input type="checkbox"/> NCIC										<input type="checkbox"/> NCIC						
51. NARRATIVE: (1) Continuation of above items, including additional Witnesses and Suspects (2) Describe details of incident including M.O., evidence, possible motivation, veracity of complainant or witnesses, etc.										Victim/Complainant willing to prosecute? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Undecided											

On 7-28-96 the Defendant allegedly was having a phone conversation with [redacted] when the Def. became upset and allegedly told [redacted] that he was coming over to her house to "beat her fucking ass" A short time later the Def. arrived at the residence at [redacted] and began to beat on the front door of the residence demanding entry to the residence. The Def. then continued to be loud and boisterous using vulgar language and demanding that [redacted] come out in the yard and face him like a man. As this was occurring the Def. had a knife in his hand which the victims felt was intended for them. The Def. also had threatened to puncture the tires of the vehicle that was parked in the driveway. The Def. also made a statement directly to [redacted] saying "if I don't get you now I'll get you when you come out of work."

b6
b7C

On police arrival the Def. was in the front yard of the residence and the knife was located in his vehicle which was parked on the front lawn.

52. SOLVABILITY FACTORS:			
Yes	No	Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/> a. Can a suspect be named?	<input checked="" type="checkbox"/>	<input type="checkbox"/> f. Can suspect vehicle be identified?
<input checked="" type="checkbox"/>	<input type="checkbox"/> b. Is the suspect known?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> g. Was a unique or unusual M.O. employed?
<input checked="" type="checkbox"/>	<input type="checkbox"/> c. Can suspect be identified?	<input checked="" type="checkbox"/>	<input type="checkbox"/> h. Was there significant evidence?
<input checked="" type="checkbox"/>	<input type="checkbox"/> d. Has suspect been seen before?	<input checked="" type="checkbox"/>	<input type="checkbox"/> i. Is property traceable?
<input checked="" type="checkbox"/>	<input type="checkbox"/> e. Was there a witness to the crime?	<input checked="" type="checkbox"/>	<input type="checkbox"/> j. Was there a minimum delay in reporting?
		<input checked="" type="checkbox"/>	<input type="checkbox"/> k. Is there a significant reason to believe crime may be solved with a reasonable amount of investigative effort?
53. Is one or more of the solvability factors present in this report?		54. Signature of Patrol Supervisor	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Recommend follow-up by:		56. Signature of Oper. Case Review Off.	
<input type="checkbox"/> Patrol <input type="checkbox"/> CIO <input type="checkbox"/> Other [Specify] <input type="checkbox"/> None			
		58. Signature of CIO Supervisor	
		55. Admin. No.	
		57. Admin. No.	
		59. Admin. No.	

ADDITIONAL INFORMATION

page 1 of 1 pages

Incident or Offense	2706	REPORT NUMBER
TERR. THREATS, DC(M3), HARASS. 5503, 2709.		
Victim or complaint		
		b6
If this is additional information to a previously submitted report, include date, time and how information was received (telephone, letter, b7C person, etc.)		

On 01-02-97 at 0900 hrs. this officer attended court at the Ebensburg Court House on the case of [REDACTED] on the above charges. Charge were dismissed due to the victim's not showing. This officer did contact the victim's who stated they had only recieved a subpoena for the previous court date.

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Date	Reporting Officer(Print)		Admin. No.
01-02-97	[REDACTED]	[REDACTED]	[REDACTED]

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: CAMBRIA

POLICE
CRIMINAL COMPLAINT



COMMONWEALTH OF PENNSYLVANIA

VS.

Magisterial District Number: 47-2-01
District Justice Name: Hon.
Address:
Telephone: 15904-1709

DEFENDANT:

NAME and ADDRESS

JOHNSTOWN PA. 15904

Docket No.:
Date Filed:
OTN:

Defendant's Race/Ethnicity <input checked="" type="checkbox"/> White <input type="checkbox"/> Asian <input type="checkbox"/> Black <input type="checkbox"/> Hispanic <input type="checkbox"/> Native American <input type="checkbox"/> Unknown	Defendant's Sex <input type="checkbox"/> Female <input checked="" type="checkbox"/> Male	Defendant's D.O.B.	Defendant's Social Security Number	Defendant's SID b6 b7C
Defendant's A.K.A.	Defendant's Vehicle Information: Plate Number State Registration Sticker(MM/YY) PA		Defendant's Driver's License Number State PA.	UCR/NIBRS Code
Complaint/Incident Number	Complaint/Incident Numbers of other Participants			

District Attorney's Office ☐ Approved ☐ Disapproved because:
(The district attorney may require that the complaint, arrest warrant affidavit, or both be approved by the attorney for the Commonwealth prior to filing.
Pa.R.Cr.P. 107.)

(Name of Attorney for Commonwealth - Please Print or Type) (Signature of Attorney for Commonwealth) (Date)
I, OFFICER (Officer Badge Number/I.D.)

of: RICHLAND TWP. POLICE DEPT. PA0110500
(Identify Department or Agency Represented and Political Subdivision) (Police Agency ORI Number) (Originating Agency Case Number (OCA))

do hereby state: (check the appropriate box)

1. ☒ I accuse the above named defendant who lives at the address set forth above
☐ I accuse the defendant whose name is unknown to me but who is described as

☐ I accuse the defendant whose name and popular designation or nickname is unknown to me and whom I have
therefore designated as John Doe
with violating the penal laws of the Commonwealth of Pennsylvania at JOHNSTOWN PA
(Place Political Subdivision)

15904
in CAMBRIA County on or about 07-28-96 at approx. 1304 hrs

Participants were: (if there were participants, place their names here, repeating the name of above defendant)

2. The acts committed by the accused were:
(Set forth a summary of the facts sufficient to advise the defendant of the nature of the offense charged. A citation to the statute allegedly violated,
without more, is not sufficient. In a summary case, you must cite the specific section and subsection of the statute or ordinance allegedly violated.)

DISORDERLY CONDUCT 5503 A,1-(M-3)- The defendant did intentionally,
knowingly or recklessly cause public inconvenience, annoyance, or alarm
or create a risk thereof by engaging in fighting or threatening or in
violent or tumultuous behavior that he did threaten and
with a knife and was loud and used vulgar language.

TERRORISTIC THREATS 2706 A (M-1)- The defendant did threaten to cause
bodily injury to and
with a knife which was in his hand which resulted in or caused serious
alarm to them.

Defendant's Name:	
Docket Number:	



POLICE CRIMINAL COMPLAINT

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HARASSMENT AND STALKING 2709 A,3 (S)- The defendant did intentionally harass, annoy or alarm [redacted] by engaging in a course of conduct or repeatedly committing acts which alarmed or seriously annoyed [redacted] and which served no legitimate purpose, in that he did threaten to do bodily harm to them with a knife which he was holding.

PHOTO COPY

all of which were against the peace and dignity of the Commonwealth of Pennsylvania and contrary to the Act of Assembly, or in violation of

1. <u>5503</u> (Section)	<u>a, 1</u> (Subsection)	of the <u>PA CRIMES CODE</u> (PA Statute)	<u>1</u> (counts)
2. <u>2709 HARASSMENT</u> (Section)	<u>a, 3</u> (Subsection)	of the <u>PA CRIMES CODE</u> (PA Statute)	<u>1</u> (counts)
3. <u>2706. TRESPASS</u> (Section)	<u>a</u> (Subsection)	of the <u>PA CRIMES CODE</u> (PA Statute)	<u>1</u> (counts)
4. _____ (Section)	_____ (Subsection)	of the _____ (PA Statute)	_____ (counts)

3. I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I have made. (In order for a warrant of arrest to issue, the attached affidavit of probable cause must be completed and sworn to before the issuing authority.)
4. I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 PA. C.S. § 4904) relating to unsworn falsification to authorities.

JULY 28, 19 96

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AND NOW, on this date _____, 19 ____, I certify that the complaint has been properly completed and verified. An affidavit of probable cause must be completed in order for a warrant to issue.

(Magisterial District)

(Issuing Authority)

SEAL

Defendant's Name:
Docket Number:



**POLICE
CRIMINAL COMPLAINT**

PHOTO COPY

AFFIDAVIT of PROBABLE CAUSE

On 7/28/96 the Defendant allegedly was having a phone conversation with when the Def. became upset and allegedly told that he was coming over to her house to "beat her fucking ass". A short time later the Def. arrived at the residence at and began to beat on the front door of the residence demanding entry to the residence. The Def. then continued to be loud and boisterous using vulgar language and demanded that come out in the yard and face him like a man. As this was occurring the Def. had a knife in his hand which the victims felt was intended for them. The Def. also had threatened to puncture the tires on the vehicle which was parked in the driveway. The Def. also made a statement directed to saying "if I don't get you now I'll get you when you come out of work".

On police arrival the Def. was in the front yard of the residence and the knife was located in his vehicle which was parked on the front lawn.

I, Officer , BEING DULY SWORN ACCORDING TO
LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT
TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF

Sworn to me and subscribed before me this _____ day of _____

_____ Date _____

My commission expires first Monday of January, _____
2002

RICHLAND TOWNSHIP POLICE DEPARTMENT

COURT RECORD

NAME _____ OFFENSE No. _____ R.C.I. **2742**

PRELIMINARY ARRAIGNMENT: ARRESTING OFFICER _____ BADGE _____

DATE 7-24-96 TIME IN 1500 TIME OUT 1700 HOURS SPENT 2 OVERTIME Yes ___ No XMAGISTRATE Gresick BOND R.O.R. Yes X No. ___ AMOUNT POSTED _____INCARCERATED IN CAMBRIA CO. Yes ___ No X OTHER _____

PRELIMINARY HEARING: OFFICERS TESTIFYING _____

DATE 8-26-96 TIME IN 1515 TIME OUT _____ HOURS SPENT _____ OVERTIME Yes ___ No X

CHARGES _____ WITNESSES NEEDED FOR THIS CASE

A DC (m3)

NAME _____

B Terroristic Threats

ADDRESS _____

C Harassment

NAME _____ Phone _____

D _____

ADDRESS _____

Phone _____

MAGISTRATE Mr. Pavlovich

D.A. STAFF _____

b6
b7CDEFENSE ATTY. _____ CHARGES REDUCED Yes ___ No X

RESULTS OF PRELIMINARY: _____

explain in detail any bargains or deals with the defendant;

Def was offered a DC Summary in which He Refused

SUPPRESSION HEARING: OFFICERS TESTIFYING _____

DATE 11-13-96 TIME IN 0845 TIME OUT 1200 HOURS SPENT 3 OVERTIME Yes ___ No XJUDGE Long D.A. STAFF _____ DEFENSE ATTY. _____LOCATION Ebensburg RESULTS Waived

COURT TRIAL: OFFICERS TESTIFYING _____

DATE 1-2-97 TIME IN 0900 TIME OUT 1200 HOURS SPENT 3 OVERTIME Yes ___ No XJUDGE Leheny D.A. ATTY. _____ DEFENSE ATTY. _____LOCATION Ebensburg Court House RESULTS Not Guilty For Lack of witnessesOBJECT TO A.R.D. Yes ___ No X PLEA BARGAIN AGREED TO Yes ___ No ___

COMMONWEALTH
VS.

IN THE COURT OF COMMON PLEAS
OF
CAMBRIA COUNTY, PENNSYLVANIA
CRIMINAL DIVISION

[Redacted]

No. 1443-1996

NON JURY TRIAL

b6
b7C

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CAMBRIA

TO: OFFICER [Redacted] Richland Police Dept., Johnstown;

[Redacted], Johnstown; [Redacted]

Dr., Johnstown [Redacted]

1. You are hereby ordered by the Court to come to the Cambria County Courthouse at Ebensburg, Pennsylvania on the 2nd day of January, 1997 at 9:00 a. M., prevailing time, to testify on behalf of the Commonwealth in the above captioned case, and there to remain until excused by the Court.

2. You are also required to bring with you the following: _____

December 13, _____, 19 96

(Affix Court Seal Here)

BY THE COURT:

BY

James M. McQuilty
Clerk of Courts

(3/96)

RICHLAND TOWNSHIP POLICE DEPARTMENT

NOTIFICATION OF RIGHTS

R.C.I. Number 2742

7-28-96 Richard P.O. Time 1421 hrs I, the undersigned
[redacted], Am 48 Years of age, I realize that I am
being questioned about the crime or crimes of Terroristic Threats

Disorderly conduct, HARASSMENT And before answering any
questions or making any statements, [redacted] A person who
identified themselves as a RICHLAND TOWNSHIP POLICE OFFICER duly warned and
advised me, and I know and understand that I have the following rights as
READ TO ME BY THIS OFFICER.

- ===== b6 b7C =====
1. That I have the right to remain silent and not make any statement
Yes / No INITIALS [redacted]
 2. That anything I say can and will be used against me in a court of law
Yes / No INITIALS [redacted]
 3. That I can have a lawyer of my own choice to advise me before and during
any questioning. Yes / No INITIALS [redacted]
 4. That if I cannot afford to hire a lawyer, I can request, and receive
appointment of a lawyer, by the PUBLIC DEFENDERS OFFICE, without cost or
charge to me, to be present with me and advise me before and during any
questioning or statements I may make, Yes / No INITIALS [redacted]
 5. That I can stop making statements or answering questions at any time I
choose. Yes / No INITIALS [redacted]
 6. That no law enforcement officer can prompt me what to say in any
statement or write it out [redacted] unless I choose for them to do so.
Yes / No INITIALS [redacted]
- =====

WAIVER OF THESE RIGHTS

IN ORDER TO SECURE A WAIVER OF THESE RIGHTS I MUST ASK THE FOLLOWING QUESTIONS
AND RECORD YOUR RESPONSE.

1. DO YOU UNDERSTAND THESE RIGHTS I HAVE JUST EXPLAINED TO YOU?
Yes / No INITIALS [redacted]
2. WITH THESE RIGHTS IN MIND, DO YOU WISH TO TALK TO ME NOW AND ANSWER
QUESTIONS WITHOUT AN ATTORNEY? Yes / No INITIALS [redacted]

Witness [redacted]

Signature [redacted]

Witness [redacted]

Date 7-28-96 Time 1425

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 1/10/1998

[redacted] Orchard Hotel, 2434 Bedford Street, Johnstown, PA 15904, [redacted] was contacted at her place of business and interviewed. [redacted] was advised of the identity of the interviewing Agent and the nature of the interview concerning [redacted] a tenant at the Orchard Hotel, and the allegation of death threats directed toward Congress JOHN P. MURTHA. [redacted] thereafter provided the following information:

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[redacted] advised [redacted] has resided at the Orchard Hotel for approximately ten years. [redacted] characterized [redacted] as a good tenant, who has not caused any problems. [redacted] could not recall any previous occasions, other than December 3, 1997, when the police were called or came to the Orchard Hotel looking for [redacted] added that [redacted] has always paid his rent on time and on occasion paid his rent in advance. [redacted] advised [redacted] worked in the construction business and his work was seasonal, working more in the summer months than at other times of the year.

[redacted] stated [redacted] would talk about politics with anyone who would listen to him. [redacted] stated that [redacted] had told her about some of his plans for Johnstown and had shown her sketches of his plans to build a tram around Johnstown. [redacted] added [redacted] had also related that he thought that Congressman MURTHA and his people were against him, however at no time had she ever heard [redacted] threaten Congressman MURTHA or anyone else for that matter. In addition, [redacted] stated that [redacted] had found religion, began going to church, and that he did not believe in violence.

[redacted] further advised she never saw [redacted] with a gun nor did he ever mention he owned a gun. [redacted] added [redacted] did not even go hunting. [redacted] advised to the best of her knowledge, [redacted] did not have a problem with alcohol. In fact, [redacted] rarely stopped in the bar area of the hotel, and when he did, he usually had a large Coke.

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[redacted] advised [redacted] had a telephone in his room and she could not recall [redacted] ever using the pay telephone located in the bar.

Investigation on 1/9/98 at Johnstown, PAFile # 89A-PG-64410Date dictated 1/10/98by SA [redacted]

89A-PG-64410-18

SEARCHED	GEN	INDEXED
SERIALIZED	FILED	
JAN 23 1998		
FBI — PITTSBURGH		

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

Judge keeps \$25K bond

Fenton facing threat charges

By SANDRA K. REABUCK
THE TRIBUNE-DEMOCRAT

EBENSBURG — Cambria County Judge Gerard Long refused Friday to lower the \$25,000 bond for a Stonycreek Township man who's in the county jail on charges he made a threatening telephone call to his insurance agent.

The defendant, Donald Lee Fenton, 41, of Bedford Street, also is facing federal charges of threatening U.S. Rep. John P. Murtha's life.

Long said that the bond set by District Justice Max Pavlovich is appropriate despite the contention of Public Defender Richard Corcoran that it is excessive.

Corcoran told the judge that Fenton has only one prior criminal offense — a simple assault conviction dating back to 1980.

In addition, Corcoran said that despite the publicity about the alleged threats against a congressman, "There's only one alleged phone call here, and Rep. Murtha is not the victim in our case."

Long said that if Fenton is able to post bond, he must be brought back before the judge for bond conditions, including a mental evaluation and possibly having to wear electronic ankle bracelets.

Fenton has been in the county jail since Dec. 11 when he was arrested by the Stonycreek Township police on charges of terroristic threats and harassing an insurance agent.

Federal officials on Tuesday issued an arrest warrant for Fenton on a charge of threatening to assault and murder a U.S. official.

The federal complaint alleges that Fenton threatening to "blow Congressman Murtha's head off" and kill Randy Leventry, the insurance agent, as well as everybody's in Leventry's office.

A federal preliminary examination hearing that was to have been held Friday afternoon for Fenton was postponed, authorities said. A new date was not set for the hearing.



Fenton

(Indicate page, name of newspaper, city and state.)

TRIBUNE-DEMOCRAT
JOHNSTOWN, PA

Date:

1/10/98

Edition:

Title: JOHN P. MURTHA - MEMBER OF CONGRESS - VICTIM
12/3/97

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Character:

or

89A-PG-64410

Classification:

Submitting Office:



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[Handwritten signature]

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)
AS
THE TRIBUNE-DEMOCRAT
*JOHNSTOWN, PA*Date: *1/13/98*
Edition:

Title

JOHN P. MURTHA - MEMBER OF CONGRESS - VICTIM

Character:

12/3/97
or *CECANA*

Classification:

Submitting Office: *89A-PG-64410*

Johnstown man held on charge that he threatened Rep. Murtha

By **BILL BLAIR**

THE TRIBUNE-DEMOCRAT

A federal magistrate on Monday ordered a Johnstown man to be held on a charge he threatened the life of U.S. Rep. John Murtha.

Donald Lee Fenton, 41, of the 2400 block of Bedford St., is accused of threatening to murder Murtha while talking on the telephone Dec. 3 with a claims agent for an insurance company.

U.S. Magistrate Keith Pesto issued the ruling following a preliminary examination - similar to a preliminary hearing involving state charges before a district justice - in U.S. District Court in Johnstown to assess whether the government had met its burden of probable cause.

Pesto ruled after hearing testimony from two witnesses for the government.

The witnesses included Stonycreek Township police Officer Kevin Price and FBI Special Agent Paul Wilson.

Price arrested Fenton initially on charges of making terroristic threats and harassing Richland Township insurance agent Randy Leventry.

Fenton is awaiting trial in Cambria County Court on those charges.

During the phone conversation, the federal complaint accuses Fenton of threatening to "blow Congressman Murtha's head off" and kill Leventry and everyone in Leventry's Erie Insurance office.

Leventry was handling an insurance claim for

damage done to Fenton's truck by a local repair garage whose workers failed to refill the truck's engine oil, resulting in the engine being ruined.

Both Price and Wilson testified that their subsequent investigations revealed that Fenton was angry with Murtha, a Johnstown Democrat, because Fenton felt the damage done to his vehicle and other problems in his life were all part of a conspiracy against him by Murtha and Murtha's aide, John Hugya.

Price and Wilson said they learned that Fenton believed Murtha was out to get him because Murtha was aware that Fenton "knew too much about Murtha and Hugya."

Price and Wilson also testified



Fenton

that Fenton was angry with the congressman because Fenton claimed that Murtha had stolen Fenton's economic recovery plans for Cambria County, which included plans to revitalize the Johnstown-Cambria airport, the former Glosser Building in downtown Johnstown and installing a mass-transit system around the city.

Pesto described the case as one of the most unusual he has been involved in.

"This is bazaar," he said.

Fenton was returned to the county jail, where he is being held in lieu of bond on the state charges.

Pesto told the lawyers involved to schedule a detention hearing on the federal charges.

89A-PG-64410-20

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(12/31/1995)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 01/22/1998

To: Pittsburgh

Att.: SA [REDACTED]
Johnstown RA
Squad 10

From: St Louis *WPT/EL*
Contact: IA [REDACTED]

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Approved By: [REDACTED]

Drafted By: [REDACTED] mfm

Case ID #: 89A-PG-64410 ²¹ (Pending)

Title: [REDACTED] aka

JOHN P. MURTHA - MEMBER OF CONGRESS,
WASHINGTON, D.C. - VICTIM;
12/03/1997;
CCSCAKA-THREAT

Synopsis: Results of investigation at Federal Records Center,
Military Branch, St. Louis, Missouri. *(G)*

Administrative: Re Pittsburgh Electronic Communication to
St. Louis, dated 01/06/1998.

Details: Attached please find Marine Corps service record of
[REDACTED] date of birth [REDACTED] Social Security
Account Number [REDACTED]

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b7C

All investigation completed at St. Louis.

♦♦

UPLOADED TO ACS/ECF:

BY SL tp 1/20/98

SEARCHED GEN	FOIMS
INDEXED	INDEXED
FILED	<i>CR</i>
JAN 27 1998	
FBI - PITTSBURGH	

[Signature]

89A-PG-64410-21

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/18/97

[redacted] W/M, Date of Birth [redacted]
 [redacted] Johnstown, PA [redacted] was
 interviewed at the offices of [redacted] District
 Justice, 205 Suppes Avenue, Johnstown, PA. Also present during
 the interview were United States Capitol Police Officers [redacted]
 [redacted] and [redacted] was advised of the identity of the
 interviewing Agents and the nature of the interview concerning
 the December 3, 1997, telephone death threats directed toward
 Congressman JOHN P. MURTHA and his Aide [redacted]

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[redacted] was advised the Federal Bureau of
 Investigation was investigating the allegations regarding the
 threats concerning Congressman MURTHA, while the Capitol Police
 were conducting an assessment of the threat as it relates to
 protection of Congressman MURTHA. [redacted] was advised he was
 under no obligation to speak with the interviewing Agents;
 however, [redacted] expressed his willingness to cooperate in this
 matter. [redacted] was advised it was a violation of Federal law to
 threaten a United States Congressman, specifically in this
 instance, Congressman JOHN P. MURTHA. [redacted] was further advised
 an investigation was being conducted in order to determine if the
 allegations were true. [redacted] again agreed to cooperate in order
 to resolve this matter. [redacted] thereafter provided the following
 information:

[redacted] stated he bore no ill feelings toward anyone
 and could forgive anyone. [redacted] advised he has plans to run for
 Congress, was under no delusions regarding running for election,
 and was in complete control of all his faculties. [redacted] added
 while he may have, in frustration, said something that could be
 construed as threatening, he had no plans to do anything to
 anyone.

[redacted] advised in 1996 he had written Congressman
 MURTHA's office regarding an economic plan for Johnstown.
 Subsequently, [redacted] agreed to meet with him. [redacted] met [redacted] at
 his office. [redacted] stated he laid out his economic plan to
 [redacted] who, related it was an excellent plan and asked "What's in
 it for MURTHA?" [redacted] stated when he told [redacted] it was his plan,
 [redacted] stated that "My friends and I will steal it then." [redacted]
 added that shortly thereafter his problems began.

b6
b7CInvestigation on 12/11/97 at Johnstown, PAFile # 89A-PG-64410Date dictated 12/18/97

by SA's [redacted] and [redacted]

89A-PG-64410-22

SEARCHED	GEN	FOIMS
SERIALIZED	INDEXED	
JAN 23 1998		
FBI — PITTSBURGH		

89A-PG-64410

Continuation of FD-302 of [REDACTED]

, On 12/11/97

, Page 2

[REDACTED] related his economic plan contained the following:

1. An expansion of the Johnstown Airport to accommodate a light monorail system;
2. Development of the closed Glosser Brothers Building;
3. Plans for the retail development of Johnstown;
4. Flood control plans;
5. Development of a cross-country ski area;
6. Plans for the construction of an NFL stadium in the Johnstown area.

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[REDACTED] advised subsequent to the meeting with [REDACTED] and discussion of these plans, MURTHA has been involved in an effort to expand the Johnstown Airport. In addition, the County Commissioners bought the Glosser Brothers Building with plans to further develop the building. [REDACTED] related his plans for the retail development of Johnstown have been implemented by [REDACTED] and MURTHA, and he has been shut out of the process. In addition, [REDACTED] advised he has written letters to the local Johnstown newspaper, The Tribune-Democrat, and always ended his letters by stating if he had MURTHA's job he would get things done. [REDACTED] stated when MURTHA got wind of the letter, that is when the problems with his truck began.

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[REDACTED] related MURTHA was involved in a conspiracy against him all relating to his economic plan and his intention to run for office in opposition to MURTHA. [REDACTED] offered that this conspiracy included the harassment of his friends, the use of dirty tricks, as well as the campaign against him personally. [REDACTED] related one of his friends, [REDACTED] had been attacked, was unable to obtain assistance from the Richland Township Police Department in preventing the attack, and was subsequently assaulted by [REDACTED] resulting in her receiving treatment at Conemaugh Memorial Hospital. In addition, [REDACTED] related that last summer, during the daytime, he had been

89A-PG-64410

Continuation of FD-302 of [REDACTED], On 12/11/97, Page 3

followed by a woman in a gold Cadillac and then at night a man in a green Cadillac. [REDACTED] added [REDACTED] owned a car similar to what he observed. Furthermore, [REDACTED] related how the problems he experienced regarding the repair of his truck were all MURTHA's doing. [REDACTED] added when he called the insurance agent, [REDACTED] regarding the problems with his truck, [REDACTED] threatened him by stating that [REDACTED] MURTHA, and me, with one call, can have you killed." [REDACTED] stated while he may have held thoughts of retaliation, he holds no malice toward anyone but people are trying to kill him, and who cares about him. [REDACTED] added all law enforcement has failed him. [REDACTED] stated he knew the law, he did not threaten anyone, and that his comments to [REDACTED] were misconstrued. b6 b7C

[REDACTED] advised he does not believe in violence and does not own a gun. [REDACTED] related his comment about having a gun and bullets was only made due to his frustration regarding the harassment of his friends, the campaign against him, and the use of dirty tricks against him.

[REDACTED] added he had never been diagnosed with mental problems nor had he been hospitalized for treatment of mental problems. [REDACTED] added people may think he has delusions of grandeur or is crazy for saying he wants to run for Congress. [REDACTED] added he is up against a powerful man in MURTHA, who he feels could destroy him. [REDACTED] further stated he was going to be a Congressman and he could beat MURTHA in 1998. Furthermore, these were not delusions, he was going to run and win, even if had to run from jail or the "nuthouse." [REDACTED] further advised he had no malice toward MURTHA and, if MURTHA was present, he [REDACTED] would wash his feet and dry them with the shirt off his back. b6 b7C

[REDACTED] advised he served in the United States Marine Corps and received an honorable discharge.

[REDACTED] voluntarily agreed to execute an "Authority to Release Medical/Mental Health Information" form regarding treatment received at Conemaugh Memorial Hospital, Johnstown, PA, from December 3, 1997, until his release on December 11, 1997. A copy of the release is attached and made a part hereto.

89A-PG-64410

Continuation of FD-302 of

[Redacted]

, On 12/11/97

, Page 4

[Redacted] after signing the medical release form, advised he would not sign anything else or provide any further cooperation until his next court appearance.

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AUTHORITY TO RELEASE MEDICAL/MENTAL HEALTH INFORMATION

I, , hereby authorize any Special Agent or other authorized representative of the Federal Bureau of Investigation bearing this release or a copy thereof, to obtain information available from my past or present medical records maintained at/by CONEMAUGH MEM. HOSPITAL, including those records relating to the treatment or care for drug abuse, alcoholism or mental health care including psychiatric conditions, psychological care and professional counseling services. The release of these records is necessary for employment or investigative purposes. If for employment purposes with another Government agency, the information obtained may be disseminated by the FBI to other Government agency or agencies. I request that the custodian of such records in each instance permit my records in connection therewith to be examined, copied or otherwise reviewed.

I also realize that this release is subject to my revocation at any time except to the extent that action has been taken in reliance thereon. Absent such revocation, I understand that this release is valid for one year from the date of signing.

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b7C

Date: 12/11/97

DOB:

SSN (Optional):

Address:

Johnstown, PA. 15904

Parent or Guardian (if required)

SA, FBI 12/11/97

witness (Special Agent, FBI)

PRIVACY ACT STATEMENT

Authority for requesting information is contained in Title 28 Code of Federal Regulations, Section 0.137, United States Code. Purpose is to provide current information regarding personal identification, medical status, and identification of medical professionals/facilities, providing services/care to facilitate agency acquisition of necessary data for employment, medical care and compensation claim determination. Routine use of this information may be made consistent with the published notice for the FBI's Central Records System in the Federal Register. The requested information is voluntary; however, failure to provide such information may impede or preclude agency action regarding employment, medical or compensation issues.

In accordance with Sec. 7 of the Privacy Act, you are advised that disclosure of your Social Security Account Number is voluntary, it is being requested pursuant to Executive Order 9397, and will be used to locate and process requested information and agency records consistent with the terms of this authorization. Failure to provide a Social Security Account Number will not be a basis for rejection of this authorization or denial of any right, benefit or claim. However, the lack of such information may impede or delay the acquisition of necessary information and/or agency action regarding employment, medical or compensation issues.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 1/16/1998

[redacted] Johnstown, Pennsylvania (PA), [redacted] was telephonically contacted and interviewed. [redacted] was apprised of the identity of the interviewing Agent and that he was being interviewed regarding an attempt by him to see Congressman MURTHA, at his office, in reference to [redacted] and the Erie Insurance Company (EIC). [redacted] thereafter provided the following information:

[redacted] was advised the Federal Bureau of Investigation is currently conducting an investigation concerning threats made against Congressman JOHN MURTHA. Aide-de-Camp [redacted] and others by [redacted] said he attempted to see Congressman MURTHA to complain about the insensitivity, cruel, and indifferent treatment he has received from individuals at the EIC. [redacted] said he was aware of the circumstances surrounding the case of [redacted] through various media sources. [redacted] advised he does not know nor has he never met [redacted]. [redacted] advised he understood [redacted] had problems with EIC and is sympathetic with the frustration [redacted] must have endured when dealing with them. [redacted] said he was involved in two separate accidents, one on October 12, 1994, and the second on October 19, 1996. The accident which occurred on October 19, 1996, resulted in over \$50,000 in medical bills to date, which as of this writing have not been paid by EIC. [redacted] said he has \$100,000 medical coverage and should be covered. [redacted] stated he is at a loss as to why EIC will not pay these medical bills and further that he has become infuriated and frustrated over receiving letters from collection agencies and lawyers threatening him over this non-payment. [redacted] advised that if [redacted] who was also dealing with EIC, was as angered and frustrated as he, then it would be perfectly understandable to him why [redacted] in a fit of anger, might threaten anyone.

Investigation on 1/8/1998 at Johnstown, PAFile # 89A-PG-64410Date dictated 1/9/1998by SA [redacted] /dmy

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SEARCHED	GEN
SERIALIZED	INDEXED
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JAN 20 1998

FBI - PITTSBURGH

Record Request
FD-125 (Rev. 1-30-75)

Date 1/27/98

☐ Birth ☐ Credit ☒ Criminal ☐ Death ☐ INS ☐ Marriage * ☐ Motor Vehicle ☐ Other ☐ Driver's License

To NCIC Buded

Return to SA File number 89A-PG-64410

Name and aliases of subject, applicant, or employee, and spouse

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Addresses

Residence _____
Business _____
Former _____

* Date and place of marriage (if applicable) _____

Race <u>W</u>	Sex <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	Age	Height <u>5' 4"</u>	Weight	Hair	Eyes
Birth date 		Birthplace				
Arrest Number <u>1</u>		Fingerprint classification			Criminal specialty	

Specific information desired _____ Social Security Number _____

Results of check

(Use reverse side, if necessary)

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SERIALIZED	CR	INDEXED
FILED		
FEB 4 1998		
FBI — PITTSBURGH		

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 1/26/98

[redacted] Date of Birth [redacted]
 Carman's Wholesale Tires, 1801 Bedford Street, Johnstown,
 PA 15902, [redacted] was interviewed at his place of
 business. [redacted] was advised of the identity of the
 interviewing Agent and the nature of the inquiry regarding
 threats made by [redacted] toward Congressman JOHN P. MURTHA
 and his aide [redacted] thereafter provided the
 following information:

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[redacted] advised he has known [redacted] for
 approximately three to four years. [redacted] would occasionally
 bring his vehicle, a Ford pick-up truck, in for work and in
 addition, would, on occasion, stop at the shop and visit
 socially. [redacted] advised during the summer of 1997 [redacted]
 brought his truck into the shop for a yearly inspection. Upon
 examination, it was determined the vehicle would not pass
 inspection, at which point, [redacted] offered the employee money if
 he would pass the truck and give him a valid PA inspection
 sticker. [redacted] advised when they refused to issue an
 inspection sticker, [redacted] requested an oil change. [redacted]
 advised the next day, [redacted] advised him the engine on the truck
 had burned up because they (Carman's) failed to either put oil in
 the truck or had failed to tighten the oil plug. [redacted] added
 since his employees performed work on the truck, he agreed to
 replace the engine.

[redacted] advised initially he attempted to find a used
 engine; however, due to the age of the truck, he could not locate
 a used replacement engine. [redacted] added a rebuilt engine was
 obtained through Laurel Ford, Windber, PA, and [redacted] arranged
 to have it installed. [redacted] further added that subsequently
 [redacted] experienced additional problems with the truck and
 ultimately the transmission was also replaced. [redacted] added it
 would have cheaper for Erie Insurance to total the truck rather
 than repair it.

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[redacted] advised he submitted the claim to his insurance
 company, Erie Insurance, and, subsequently was informed [redacted]
 submitted a claim to Erie Insurance for \$10,000 in lost wages.
 Since [redacted] truck was in for repair, [redacted] advised he gave
 [redacted] his van to use in his contracting business. Shortly

Investigation on 1/21/98 at Johnstown, PAFile # 89A-PG-64410Date dictated 1/26/98by SA [redacted]

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SEARCHED	GEN	INDEXED	FILED
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FBI — PITTSBURGH			

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

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Continuation of FD-302 of [REDACTED]

, On 1/21/98

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thereafter, Erie Insurance provided [REDACTED] with a rental van, a 1997 Ford, and [REDACTED] failed to return [REDACTED] van. [REDACTED] stated he called [REDACTED] on several occasions and left messages requesting the return of his van; however, [REDACTED] never returned his calls. [REDACTED] stated the van was ultimately located at the car rental company where [REDACTED] had left it and the keys were still in the van.

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[REDACTED] further advised [REDACTED] indicated he was going to run for election in Johnstown and [REDACTED] had also shown him his plans for a monorail system for Johnstown. [REDACTED] left a copy of the plans, requesting [REDACTED] display the plans in the window of his business. [REDACTED] advised he never displayed the plans and [REDACTED] subsequently asked that the plans be returned.

[REDACTED] added [REDACTED] stated he met with Congressman MURTHA concerning the monorail plans. However, [REDACTED] advised he never heard [REDACTED] threaten Congressman MURTHA or use threatening words when talking about Congressman MURTHA. [REDACTED] stated on another occasion prior to the oil change and related problems, [REDACTED] brought his truck in for state inspection. [REDACTED] was advised the vehicle would not pass inspection and [REDACTED] offered money in exchange for an inspection sticker. When he was refused, [REDACTED] advised he needed his truck to attend a rally in Johnstown's Central Park later that same day where he, along with other candidates, were to give speeches. [REDACTED] stated it was all part of a conspiracy against him, everyone was conspiring against him in order to get his economic plans. [REDACTED] added he offered to have one his mechanics drive [REDACTED] to the rally. Subsequently, after the election, [REDACTED] relayed he [REDACTED] was screwed out of the election, even his so-called friends did not vote for him.

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[REDACTED] further advised he sometimes went out to eat with [REDACTED] and over the years has not had any problems in his dealings with [REDACTED] added on one occasion, [REDACTED] was barred from eating at a local pizza shop, because [REDACTED] used foul language which was overheard by other customers. [REDACTED] added in his opinion, [REDACTED] has some problems, which he characterized as more mental than criminal. [REDACTED] advised, while he is familiar with Congressman MURTHA, he has never met

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Continuation of FD-302 of

[Redacted]

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, On 1/21/98, Page 3

with the Congressman personally nor is there any connection
between the Congressman and himself.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 1/26/98

[redacted] Date of Birth [redacted]
 [redacted] Laurel Ford, 135 Ford Drive, Windber, PA, [redacted]
 was interviewed at his place of employment. [redacted] was advised
 of the identity of the interviewing Agent and the nature of the
 inquiry regarding threats made by [redacted] against
 Congressman JOHN P. MURTHA and his aide, [redacted] [redacted]
 thereafter provided the following information:

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[redacted] advised Laurel Ford performed service work on a
 1983 Ford Ranger pick-up truck owned by [redacted] Service
 records reflected the initial service was conducted on July 7,
 1997, which consisted of replacing the head gasket. The records
 reflected a charge in the amount of \$600, which was subsequently
 closed on December 20, 1997. In addition, on July 16, 1997,
 there was a charge for towing by University Sunoco in the amount
 of \$50. The records further reflected the last service was on
 December 1, 1997, consisting of checking for oil leaks. Laurel
 Ford repaired the PVC separator box and on December 3, 1997,
 [redacted] personally appeared at Laurel Ford to retrieve his truck.

[redacted] further advised he personally dealt with [redacted]
 on December 3, 1997. [redacted] stated as he recalled, the engine
 had been replaced by another service facility and the engine had
 been supplied by company called Dealer's Engines. Dealer's
 Engines authorized Laurel Ford to make any repairs necessary and
 to bill Dealer's Engines for those repairs. [redacted] added, to
 date, these charges, along with other charges relating to repairs
 authorized by Dealer's Engines, remain unpaid. [redacted] further
 advised no charges were billed to [redacted]

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[redacted] stated he personally had no problems in his
 dealings with [redacted] and was not aware of any other employees
 encountering any problems with [redacted] added on
 December 3, 1997, he would characterize [redacted] as calm and easy-
 going. [redacted] further advised to his knowledge, [redacted] did not
 contact Laurel Ford regarding his subsequent problems with his
 truck on December 3, 1997. [redacted] stated had [redacted] contacted
 Laurel Ford, [redacted] would not have been charged for any
 additional repairs.

Investigation on 1/21/98 at Windber, PAFile # 89A-PG-64410Date dictated 1/26/98by SA [redacted]

033 PHU 02.302(6.1)

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SEARCHED	GEN.	INDEXED	FILED
APR 1 1998	APR 1 1998	APR 1 1998	APR 1 1998
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FBI - PITTSBURGH			

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further advised a business relationship does not exist between Laurel Ford and Congressman MURTHA. b6
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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 1/29/98

[redacted] Date of Birth [redacted]
 [redacted] Johnstown, PA 15904, [redacted] was
 interviewed at her residence. [redacted] was advised of the identity
 of the interviewing Agent and the nature of the interview
 regarding an investigation into the threats made by her son,
 [redacted] toward Congressman JOHN P. MURTHA and his aide,
 [redacted] thereafter provided the following information:

[redacted] advised she resides at this address along with
 her son, [redacted] and his two children, [redacted] age
 14, and [redacted] age 8. [redacted] also provided the names and
 addresses of her other children:

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[redacted]	[redacted]
[redacted]	[redacted]

[redacted] stated she feels deep in her heart, as a mother,
 [redacted] would not carry out the threats but that who knows for
 sure. [redacted] was not aware of [redacted] receiving any treatment for
 mental problems; however, the family feels he is "crazy" and
 should get help, but she feels there is nothing she can do.
 [redacted] added [redacted] has alienated the family because of his
 behavior and his tendency to get carried away; however, she is
 not aware of anyone who [redacted] has actually hurt.

[redacted] advised [redacted] occasionally calls her and during
 one call, [redacted] asked her if he had been dropped on his head as
 a baby. When [redacted] asked him why he would ask that, he replied
 a girl he met thinks he is crazy, so he must have been.

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[redacted] advised [redacted] has had contact with [redacted] and
 [redacted] both of whom do not like Congressman MURTHA. [redacted]
 feels they have put some of these ideas, like running for
 [redacted] in [redacted] head. [redacted] added she does not know this

Investigation on 1/7/98 at Johnstown, PAFile # 89A-PG-64410Date dictated 1/21/98by SA [redacted]

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Continuation of FD-302 of [REDACTED]

, On 1/7/98

, Page 2

for a fact, it is just what she has heard. [REDACTED] stated she has read articles in the paper about [REDACTED] running for election and thought, "What sane person says this?". In addition, in the past, [REDACTED] has gone door-to-door seeking contributions to run his campaign. [REDACTED] said [REDACTED] says it is always the other person who needs help, not him. [REDACTED] added [REDACTED] loves to be the center of attention, citing his talking to the reporter from TV Channel 8 following his arrest as an example.

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[REDACTED] advised she was not familiar with the events surrounding an incident involving [REDACTED] and his ex-girlfriend, [REDACTED] (phonetic). [REDACTED] added all she recalled was they were not good for each other. [REDACTED] advised [REDACTED] worked for [REDACTED] and may have moved to Reading, PA. [REDACTED] advised to her knowledge, [REDACTED] does not have a girlfriend at the present time. [REDACTED] advised the only good friends [REDACTED] has are [REDACTED] and [REDACTED] who reside on Hostetler Road, Johnstown, PA. [REDACTED] stated since [REDACTED] arrest, [REDACTED] has kept in contact with him. [REDACTED] stated [REDACTED] called her yesterday and related [REDACTED] had been trying to contact his public defender. When he was unable to locate the public defender, [REDACTED] indicated to [REDACTED] he was starting to think that "He may be a plant."

[REDACTED] advised she was aware of the July 1995 incident involving [REDACTED] and [REDACTED] related this incident started with a telephone call to her residence. At the time, [REDACTED] was not at home and the call was answered by her niece, [REDACTED]. When [REDACTED] told [REDACTED] she was not home, [REDACTED] began yelling and called her a liar. A short time later, [REDACTED] came to the house and [REDACTED] was afraid. [REDACTED] father, [REDACTED] was taking a shower, and [REDACTED] yelled to him that [REDACTED] was outside. [REDACTED] went to the door to attempt to calm [REDACTED] down, but [REDACTED] went to his truck where he got a knife and threatened to slash the tires on [REDACTED] car. [REDACTED] added while this was going on, someone, possibly her daughter [REDACTED] who resides across the street at [REDACTED] called the police. The Richland Township Police arrived a short time later and arrested [REDACTED]. [REDACTED] added [REDACTED] did not physically attack either [REDACTED] or [REDACTED]. Subsequently when the case came to court, [REDACTED] did not attend the hearing, as he did not want put [REDACTED] through the ordeal, and, as a result, the charges were dropped. [REDACTED] added since that incident, [REDACTED] has not come to her residence. [REDACTED]

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Continuation of FD-302 of [REDACTED], On 1/7/98, Page 3

would only call her on the telephone and, if she was not home, would just hang up. [REDACTED] further advised [REDACTED] was upset over this incident and cried for weeks because he was close to [REDACTED] son, [REDACTED]

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[REDACTED] advised she has heard [REDACTED] is upset with the family for not bailing him out of jail. So much so that [REDACTED] said that he did not even know if he could trust his mom. [REDACTED] said she would like to help him; however, she did not know how.

[REDACTED] advised [REDACTED] never mentioned or talked about Congressman MURTHA with her. In addition, she never heard [REDACTED] threaten Congressman MURTHA. [REDACTED] further advised, to the best of her knowledge, [REDACTED] has never owned a gun.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 1/21/98

[redacted] Erie Insurance Group (EIG), College Park Plaza, Suite 206, Johnstown, PA, was interviewed at his place of employment. [redacted] was advised of the identity of the interviewing Agent and the nature of the inquiry regarding threats made by [redacted] provided the following information:

[redacted] advised several employees at the Erie Insurance Claims Office were involved with the insurance claim of [redacted] [redacted] stated in addition to himself [redacted] and [redacted] each were involved with the claim. [redacted] added Carman's Wholesale Tires (CWT) was the insured party represented by EIG regarding [redacted] claim of damage to his truck following work performed by employees at CWT. [redacted] further advised [redacted] [redacted] actually received the September 1997 telephone call during which [redacted] made threats toward employees of EIG.

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[redacted] advised, as part of his claim, [redacted] alleged that, as a result of the damage to his truck, he suffered \$50,000 in lost wages as a self-employed contractor. [redacted] stated in September 1997 he met with [redacted] in the EIG offices and negotiated a settlement regarding the lost wages. [redacted] added while he could appreciate [redacted] frustration over the loss of the use of his truck, [redacted] expectations were out of the ordinary. [redacted] subsequently agreed to a settlement of approximately \$600 and thereafter signed a release. [redacted] added he only dealt personally with [redacted] on this one occasion. [redacted] stated during this meeting, [redacted] never raised his voice or said anything that was threatening. [redacted] added in relation to the total claim regarding [redacted] truck, EIG actually overpaid the claim.

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[redacted] further advised subsequent to the loss of use settlement, [redacted] received a telephone call from [redacted] [redacted] stated he was unsure of the exact date of the call but it was also in September 1997. During the call, [redacted] made threats toward employees of EIG, specifically [redacted], and [redacted], which [redacted] reported to the police. [redacted] added based upon that call, EIG employees felt threatened and intimidated by [redacted] In addition, these feelings were also

Investigation on 1/9/98 at Johnstown, PAFile # 89A-PG-64410Date dictated 1/21/98by SA [redacted]

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Continuation of FD-302 of [REDACTED]

, On 1/9/98

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based upon [REDACTED] physical size, as well as information provided by Richland Township police officers which indicated [REDACTED] may be delusional or paranoid-schizophrenic, taking medication, at one time competed in a local tough-man competition in which someone may have died, and, therefore, could be capable of carrying out the threats.

[REDACTED] further advised sometime shortly after the September 1997 telephone call, he, along with [REDACTED] and office receptionist [REDACTED] observed [REDACTED] in the building where the EIG offices are located. [REDACTED] did not enter their office and may have visited a credit union which is located on the same floor of the building. [REDACTED] advised based upon everything that has occurred, EIG upgraded office security at a cost of approximately \$6,000. In addition, a security guard may be hired once [REDACTED] is released. [REDACTED] indicated EIG remained in contact with their insured, and to their knowledge, there have been no threats from [REDACTED] directed toward CWT. [REDACTED] added he, personally, never heard [REDACTED] either mention or make any threats toward Congressman MURTHA. b6 b7C

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 1/29/98

[redacted] Date of Birth [redacted]
[redacted] Johnstown, PA, [redacted] was interviewed at
his residence. [redacted] was advised of the identity of the
interviewing Agent and the nature of the interview regarding the
December 3, 1997, death threats made by [redacted]
[redacted] toward Congressman JOHN P. MURTHA and his aide, [redacted]
[redacted] provided the following information:

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[redacted] resides at this address with his mother,
[redacted] along with his two children. [redacted] arrived at the
residence while the interview with his mother was in progress.
[redacted] advised he had a personal matter to attend to and
therefore would only be available for a short time.

[redacted] advised [redacted] loves notoriety,
whether good or bad, and always has to be the center of
attention. [redacted] added [redacted] seeks out attention and
thrives on it, wanting people to be aware of him. [redacted] stated
[redacted] is a big story teller and will exaggerate facts,
cheat, and lie. As an example, [redacted] related if [redacted] won
\$20 at Ladbrokes, [redacted] would tell people that he won \$200, and
would not feel his lying caused any harm. However, [redacted] added
[redacted] stutters when he lies, and if he does not get money, he
will continue lying, and exaggerating, until someone gives him
some money, and then the stories end.

[redacted] added [redacted] does not have any real
friends, that while he does see other people and a lot of people
know of him, they think of [redacted] as a "nut case." People deal
with [redacted] by agreeing with him, by "yessing him," to keep him
quiet. [redacted] stated again [redacted] will tell elaborate stories,
such as he has to leave town for some reason or another, but that
the bottom line would always be money. [redacted] would need money,
to get his truck inspected or something. [redacted] added if [redacted] b6
said he needed \$200 and someone gave him \$20, [redacted] would be b7C
satisfied until the next time he needed money. [redacted] added [redacted]
[redacted] is smart, if he would use his mind in a constructive way,
[redacted] could do really well for himself.

Investigation on 1/7/98 at Johnstown, PAFile # 89A-PG-64410

Date dictated

by SA [redacted]

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Continuation of FD-302 of [REDACTED], On 1/7/98, Page 2

[REDACTED] further advised [REDACTED] cannot run a business on his own and also cannot work for anyone. In addition, [REDACTED] in his business dealings, would cheat people and would not feel bad about doing so. [REDACTED] added [REDACTED] does not really have a "real" job and therefore does not have much money. [REDACTED] related [REDACTED] never believes his situation is his own fault, that it is always Congressman MURTHA's fault; however, when he does have money, [REDACTED] does not mention the Congressman.

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[REDACTED] added he personally does not think [REDACTED] believes Congressman MURTHA has stolen his economic development plans. Somehow in his own mind this works for [REDACTED] deflects his problems onto someone else. [REDACTED] added he heard [REDACTED] met with the Congressman's assistant, [REDACTED] at the incline plane. During this meeting with [REDACTED] supposedly drew his plans on a pizza box. [REDACTED] stated this was just like [REDACTED] big plans, but drawn on a pizza box. [REDACTED] added had the Congressman offered [REDACTED] money, [REDACTED] would probably been satisfied until he needed money again. [REDACTED] further stated generally [REDACTED] does not take on anyone bigger than himself, such as he has done with the Congressman. [REDACTED] stated he believes [REDACTED] will not stop his raving, will continue writing letters to the newspaper, and bad-mouthing Congressman MURTHA. [REDACTED] relayed this is [REDACTED] way to blame someone else for the problems in his life.

[REDACTED] advised to the best of his knowledge, [REDACTED] does not own a gun nor does he have the money to buy a gun. [REDACTED] did recall [REDACTED] at one time, owned a pellet gun, however that was a long time ago.

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[REDACTED] further advised he did have an altercation with [REDACTED]. At the time, [REDACTED] was upset and came to the house, where he threatened to slice his tires with a knife. [REDACTED] advised at no time during the altercation did he feel threatened by [REDACTED] however, he was concerned [REDACTED] would slice his tires. [REDACTED] advised since that incident, he still socializes with [REDACTED] occasionally going to bars and Ladbrokes.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 1/29/98

[redacted] date of birth [redacted]
[redacted] Johnstown, PA 15904, [redacted] was
interviewed at her residence. [redacted] was advised of the identity
of the interviewing Agent and the nature of the interview
regarding death threats made by [redacted] and directed at
Congressman JOHN P. MURTHA and his aide, [redacted]
provided the following information:

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[redacted] advised she has known [redacted] since the
mid-70s, [redacted] Johnstown, PA. [redacted]
characterized [redacted] as all talk and a "big bag of wind." [redacted]
added [redacted] visits [redacted]
[redacted] stated people seem to fear [redacted]
strictly due to his size. However, [redacted] seemed to be the one
picked on as he was big, but she added it was all horseplay.
[redacted] further advised she does not feel [redacted] is harmful,
suicidal, or homicidal, and added if she even had a hint that he
was, [redacted] would not be welcome in her home or, especially,
around her four children. [redacted] added, in her own opinion, if
[redacted] actually did make these threats, he would not carry them
out. [redacted] advised [redacted] seems to need to be the center of
attention, however if given a few dollars or a meal, he is happy.
[redacted] added she personally feels [redacted] is delusional.

[redacted] advised she visited [redacted] while he was in the
hospital. [redacted] stated while he was in the hospital, [redacted]
appeared to be improving and should not have been released from
the hospital and placed in jail. [redacted] added she also called
[redacted] several times a day and [redacted] again seems to be blaming
Congressman MURTHA for his problems. [redacted] stated she told
[redacted] he had to stop and he needed to keep quiet and stop
running his mouth. [redacted] replied he was in too deep and may be
in over his head. [redacted] seems to feel everyone is conspiring
against him, specifically MURTHA, [redacted] and [redacted]
keeping him out of the plans for the improvement of Johnstown.

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[redacted] advised [redacted] discussed with her his plans for
the Johnstown area. [redacted] began discussing these plans
approximately 18 months ago. [redacted] related he wanted to do
something for this "shit-hole town" and also do some good for his
hometown. One of the plans he discussed involved a monorail

Investigation on 1/7/98 at Johnstown, PAFile # 89A-PG-64410Date dictated 1/23/98by SA [redacted]

1037 PHU03.302(6.1)

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which he said would cost \$200 million. _____ stated when he told her of the cost she asked "who has \$200 million?" _____ added there were other parts to the plan and _____ seemed to become obsessed with these plans, which he had drawn first on a pizza box and then on a piece of 4'x 8' piece of sheet rock. _____ stated _____ related to her that he met with MURTHA and _____ around Memorial Day, May 1996. This meeting occurred at MURTHA's office and also at the incline plane. During the meeting, _____ was told it was a wonderful plan and then MURTHA and _____ said that they would steal the plan. Furthermore, they did not need _____ they could build it and then they would be rich and _____ would have nothing. b6 b7C

_____ further added _____ mentioned other things, such as possible uses for the closed Glosser Brothers Building. _____ mentioned using the building for shops, or a school, or a museum. Subsequently, when plans were made public regarding the development of the Glosser Building, _____ could not be convinced it was a coincidence. _____ stated she attempted to explain to _____ it was all a coincidence, that these plans had been in development for years, that _____ had only begun discussing his revitalization plans within the last two years, others had been working on plans for years, and they were only now beginning to happen. However, _____ felt it was a conspiracy and he needed to blame someone and that someone was MURTHA.

_____ advised _____ works in the construction business, which is seasonal in nature and, therefore, _____ depends on using his truck in the business. _____ stated _____ had problems with the brakes on his truck prior to the problems relating to the oil change. Subsequently, _____ took his truck to Carman's Wholesale Tires for an oil change, after which _____ had problems with the truck and CARMAN would not fix it. _____ stated the last time _____ truck was repaired, _____ walked to Laurel Ford in Windber, PA, to get the truck. After getting the truck, _____ stopped at her house and told her the truck was leaking oil from the dip-stick. _____ stated _____ stopped sometime during the early afternoon, sometime between noon and 3:00 p.m. While at her residence, _____ stated _____ was frustrated as he had been unable to work, as he had been without his truck quite a bit. _____ left her residence indicating he was going home to call the insurance company. _____ added when b6 b7C

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Continuation of FD-302 of [REDACTED]

, On 1/7/98

, Page 3

he left, [REDACTED] gave no indication he would threaten anyone and, in fact, while at her residence, she never heard [REDACTED] threaten anyone or even mention MURTHA.

[REDACTED] also related she was involved in an incident that occurred in June 1997. [REDACTED] related this incident began with an exchange of words over a parking space at the Sheetz store on Scalp Avenue, Johnstown, PA. As a result, the individuals in the other car began following her and she drove to the Richland Township Police Department for assistance. When she arrived at the police building, no officers were available to assist her, so she began driving hoping to locate a patrol car. However, she was boxed in at a red light and was assaulted by one of the occupants, a black male, from the other vehicle. As a result of the assault, [REDACTED] was taken to the hospital for treatment. [REDACTED] advised, subsequently, [REDACTED] felt this assault was also part of the conspiracy against him.

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[REDACTED] related [REDACTED] felt the assault of [REDACTED] was part of the conspiracy to get at him through his friends. [REDACTED] stated [REDACTED] had the delusion that the conspiracy consisted of hiring a hitman to assault his friends. In addition, [REDACTED] related he was being followed and observed individuals in separate vehicles at a bar and his home. [REDACTED] also related that strangers would move into the building where he lived and then suddenly would be gone. [REDACTED] added [REDACTED] also told her he felt his telephone had been tapped. [REDACTED] stated she attempted to explain to [REDACTED] that these were coincidences, that MURTHA was not behind these incidents; however, she felt [REDACTED] needed someone to blame.

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[REDACTED] advised to her knowledge, [REDACTED] did not have any guns. [REDACTED] recalled several years ago, [REDACTED] may have borrowed a rifle from one of his friends to take hunting. However, [REDACTED] added she was uncertain of this information. [REDACTED] further advised she never heard [REDACTED] say anything, that she would consider even remotely serious, regarding hurting anyone.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2/2/1998

[redacted], Assistant United States Attorney, Western District of Pennsylvania, Room 224, Penn Traffic Building, 319 Washington Street, Johnstown, PA, provided a copy of a letter which was received at his office on January 27, 1998. This letter was addressed to [redacted] and reflected a return address of [redacted] Cambria County Prison, 425 Manor Drive, Ebensburg, PA 15931. In his letter, [redacted] indicated he had information regarding the investigation of [redacted] and requested he be contacted regarding this information. A copy of [redacted] letter is attached and made a part hereto.

b6
b7CInvestigation on 1/27/98 at Johnstown, PAFile # 89A-PG-64410

b6

Date dictated 2/2/98

b7C

by SA [redacted]

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SEARCHED	GEN	FOIMS
SERIALIZED	INDEXED	
FEB 17 1998		
FBI - PITTSBURGH		

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2/2/1998

[redacted] Date of Birth [redacted]
 Social Security Number [redacted] residence address of [redacted]
 [redacted] was
 interviewed at the Cambria County Prison (CCP), Ebensburg, PA,
 where he is incarcerated under inmate [redacted] was advised
 of the identity of the interviewing Agent and the nature of the
 interview was in reference to his letter, dated January 24, 1998,
 to the United States Attorney's Office regarding [redacted]
 [redacted] provided the following information:

[redacted] advised he moved to Clearfield County, PA, b6
 15 months ago and for the past 13 months has been employed at b7C
 [redacted] Curwensville, PA, where he works in
 [redacted] added he currently resides
 at the [redacted] along with his girlfriend, [redacted]
 [redacted] added he was previously employed as a [redacted] at
 the [redacted] Johnstown, PA. [redacted]
 advised he has been incarcerated in the [redacted]

[redacted]
 violation for moving without receiving permission, change of
 address without permission, and quitting his job without advising
 his probation officer. The other warrant was based upon a 1997
 charge for Failure to Appear for guilty plea for a charge of
 [redacted]

[redacted] advised he previously cooperated with law
 enforcement officials, who could be contacted regarding his
 reliability. [redacted] stated he assisted Officer [redacted]
 Johnstown Police Department (JPD). [redacted]
 In addition, sometime in [redacted] he testified in a Cambria
 County trial regarding the [redacted] of [redacted] (phonetic). b6
 [redacted] advised Assistant District Attorney [redacted] could be b7C
 contacted regarding the case and his testimony. [redacted] also
 advised he testified in a [redacted] in Clearfield County. The
 defendants in this matter were [redacted] and [redacted]
 and Clearfield County District Attorney [redacted] could
 substantiate his cooperation in that matter.

[redacted] advised he was incarcerated at the CCP

[redacted] advised he was assigned to

Investigation on 1/30/98 at Ebensburg, PA

File # 89A-PG-64410

Date dictated

2/2/98

by SA [redacted]

037 [redacted] 001,302 (6.1)

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SERIALIZED		
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Continuation of FD-302 of [REDACTED]

, On 1/30/98

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[REDACTED] and adjacent to his cell was inmate [REDACTED] who occupied cell #16. [REDACTED] advised on his first day in the general population, he struck up a conversation with [REDACTED]. [REDACTED] stated [REDACTED] had been confined to his cell for not making his bed, so [REDACTED] took a chair and sat outside [REDACTED] cell, where the two had a four-hour conversation. [REDACTED] advised after [REDACTED] asked him what he was in for, [REDACTED] stated, "You'll never believe what I'm in for." [REDACTED] then stated he "threatened to kill U.S. Representative MURTHA and his aide [REDACTED]". [REDACTED] stated he asked [REDACTED] "What did you do that for, they will lock you up and throw away the key." [REDACTED] related he had plans to run for Congress and he also developed plans for a tram and a monorail for the Johnstown area. [REDACTED] added he had taken his plans to area businesses in an effort to get support for those plans. In addition, [REDACTED] stated he also took his plans to [REDACTED] who works for Congressman MURTHA. [REDACTED] related after he presented his plans, [REDACTED] told [REDACTED] he was going to steal his plans from him. [REDACTED] added after his meeting with [REDACTED] he began to experience problems with his truck.

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[REDACTED] stated [REDACTED] related he had taken his truck to Carman's for minor work, plugs, ball joints, etc. Usually when the work was completed, he would tip the mechanic \$5. However, on this occasion, [REDACTED] and the mechanic acted very oddly and would not accept the tip. [REDACTED] also told [REDACTED] after the work was performed, he would usually back his truck out of the service bay; however, on this occasion, the mechanic backed the truck out of the service bay, which [REDACTED] also thought was odd.

[REDACTED] advised [REDACTED] related after he was taken to the hospital, and while lying in bed, he was sprayed in the face with pepper mace. When he cleared his eyes and regained his vision, he saw Congressman MURTHA standing at the foot of his bed. Also in the room surrounding his bed were [REDACTED] on the left, a doctor (name unknown) on the right, Stonycreek Police Officer [REDACTED] and an unknown JPD officer. [REDACTED] related the JPD officer was holding a picture of a black man, [REDACTED] (phonetic), hanging in his cell. [REDACTED] advised [REDACTED] that [REDACTED] (phonetic) was involved in beating up his friend's wife at the Richland Police

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Continuation of FD-302 of [REDACTED]

, On 1/30/98

, Page 3

Department Building. [REDACTED] added the JPD officer stated, "If you don't stop fucking with MURTHA, this is going to happen to you," and "the good doctor here will testify that you're crazy and nothing will be said of it."

[REDACTED] further advised [REDACTED] stated the reason he wanted to kill MURTHA, [REDACTED] the Johnstown City Manager, [REDACTED] and [REDACTED] was because they had stolen his plans for the development of Johnstown. [REDACTED] related his plans included a stadium, man-made lakes, and a snow-boarding area. [REDACTED] added he was a Vietnam veteran and he was going to get a machine gun from one of his friends and go down there and kill them. [REDACTED] stated, "He would drive to Somerset if he had to, to get MURTHA." [REDACTED] also added [REDACTED] had a fixation regarding [REDACTED] as [REDACTED] said it was [REDACTED] who actually had stolen his plans.

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[REDACTED] stated [REDACTED] also stated he wanted to kill [REDACTED] all the employees at Erie Insurance, and also Laurel Ford. [REDACTED] stated they were all involved in "sabotaging" his truck. [REDACTED] related how they had to put three motors in his truck and after the third motor blew up, he also blew up. [REDACTED] stated he called the insurance man and told him, "I'm coming down there and killing everyone there, this is the third motor and none are right." [REDACTED] added [REDACTED] said he blamed MURTHA for putting these people up to this, sabotaging his truck.

[REDACTED] further advised [REDACTED] stated MURTHA and [REDACTED] had him followed day and night. [REDACTED] related how, during the day, he observed an unknown woman in a newer model, gold-colored, Cadillac or Mercury Marquis, and then at night, an unknown man in a green Mercury Marquis. Also [REDACTED] stated he would go jogging at night and leave things in certain locations in his apartment. When he returned from jogging, these items had been moved.

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[REDACTED] stated [REDACTED] told him, "If they came here tomorrow and dropped all the charges," he would say "No." [REDACTED] added he "planned on beating this matter in court and then, suing them." [REDACTED] also stated when he gets out, "I'm not going to give up until they pay for what they've done."

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Continuation of FD-302 of [REDACTED]

, On 1/30/98

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[REDACTED] added [REDACTED] related his plans for Jonhstown are worth millions of dollars. [REDACTED] also related it would cost approximately \$1 million per mile to build the skyway around Jonhstown. [REDACTED] added he feels [REDACTED] is the money man behind this.

[REDACTED] stated [REDACTED] also related how he believed Miller Construction was also involved in this conspiracy. [REDACTED] stated after he was arrested, Miller Construction received millions in city contracts. [REDACTED] stated he believed MURTHA and [REDACTED] were involved in getting Miller Construction those contracts.

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[REDACTED] further stated [REDACTED] told him [REDACTED] who works for Miller Construction, had been hired by [REDACTED] to kill [REDACTED]. Supposedly, [REDACTED] hired [REDACTED] to kill [REDACTED], for which [REDACTED] would be paid \$10,000. In addition, [REDACTED] stated [REDACTED] was bringing antique weapons into the country from overseas, and [REDACTED] was also to receive half of these weapons in addition to the \$10,000 to kill [REDACTED]. [REDACTED] related [REDACTED] already received \$10,000 from [REDACTED].

[REDACTED] stated he sat in front of [REDACTED] cell and talked to him for approximately four hours. [REDACTED] added after speaking with [REDACTED] he returned to his cell to write the details of his conversation with [REDACTED] on paper. [REDACTED] advised it was his impression [REDACTED] is "so intelligent that he's nuts" and he believes [REDACTED] would be capable of carrying out his threats. [REDACTED] stated [REDACTED] told him "as God is my witness, I will kill them." [REDACTED] added at times during their conversation, [REDACTED] became agitated and red-faced when talking about his problems.

[REDACTED] advised he was cooperating in this matter over concern he could lose his job at [REDACTED] if he remained in jail for more than 30 days, as the union could only hold his job open for 30 days. In addition, he was willing to cooperate with the Government and in return he requested assistance from the Government in having the bench warrants against him dismissed. [REDACTED] also stated he was willing to pay any outstanding fines and costs, which he estimated at \$2,100. [REDACTED] added he wanted to get on with his life, he had a good job, a girlfriend, and was going to get married sometime in the near future.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2/3/98

[redacted] inmate [redacted] Date of Birth [redacted]
 [redacted] Curwensville, PA 16833,
 [redacted] was recontacted at the Cambria County Prison
 (CCP), Ebensburg, PA. [redacted] was familiar with the contacting
 Agent from a previous interview conducted on January 30, 1998. b6
 [redacted] provided the following information: b7C

[redacted] provided an envelope which contained his four-
 page handwritten notes of his conversation with [redacted]
 also an inmate at the CCP. [redacted] previously advised he had
 written the notes following his conversation with [redacted]
 however, he did not have the notes in his possession at the time
 of the previous interview. A copy of these notes is attached and
 made a part hereto.

[redacted] when questioned regarding the admissions made by
 [redacted] advised [redacted] stated he was in the CCP because, "I
 threatened to kill U.S. Representative MURTHA and his assistant,
 [redacted] also advised [redacted] in that same conversation,
 also threatened to kill [redacted] the employees at
 Erie Insurance, [redacted] at Carman's Tires, and employees at Laurel
 Ford. [redacted] added [redacted] also stated, "This isn't over yet." b6
 [redacted] stated he is willing to testify in court regarding his b7C
 conversation with [redacted]

Investigation on 2/3/98 at Ebensburg, PA

File # 89A-PG-64410

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Date dictated 2/3/98

by SA [redacted]

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SEARCHED	INDEXED
SERIALIZED	FILED
FEB 17 1998	
FBI - PITTSBURGH	

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(Indicate page, name of newspaper, city and state.)

TRIBUNE-DEMOCRAT

(Mount Clipping in Space Below)

Date: 2/20/98

Edition:

ARMY b6
b7C
JOHN P. MEYLAN, member of
Title: CONGRESS, W.D.C. - VICTIM
12/3/97
CLSCAKA - THREAT

Character:

or

Classification:

Submitting Office: 89A-PG-64410

Man dies of injuries suffered in contest

THE ASSOCIATED PRESS

WILLIAMS TOWNSHIP, Mich. - A man has died more than 17 years after sustaining a crippling injury during a Toughman fight that led to a temporary ban on the events.

Kenny Meylan died Tuesday at home. He was 58. Meylan suffered a brain aneurysm in a 1981 fight.

In the wake of his injury, the state Department of Commerce's Athletic Board of Control temporarily banned the events. But the contest was revived under stricter rules.

After Meylan's injury and the death of a 23-year-old Marine in Johnstown, after a Toughman fight two months later, tournament organizers began requiring boxers to wear padded head gear.

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then

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MAR 30 1998

WA

Man jailed in Murtha threat is released

By LINDA HUDKINS
THE TRIBUNE-DEMOCRAT

Donald Lee Fenton, the man charged with threatening to kill U.S. Rep. John Murtha in December, was released from the Cambria County Jail following a plea Wednesday to a federal judge.

"I am taking a risk if I let this guy out and something does go wrong,"

said U.S. Magistrate Keith Pesto, referring to Murtha as "a national treasure."

"But I am going to take that risk," he said after Fenton's mother, brother, landlady of 10 years, and several others testified that Fenton sometimes loses his temper but gets over it quickly.

Following the threats against

Murtha, his aide John Hugya and several others, Fenton spent three days in Memorial Medical Center, then was released to the county lockup, where he remained for more than two months. His trial in U.S. District Court could come up as early as May, said U.S. Attorney John Valcovci.

Fenton, 41, of the 2400 block of Bedford Street, was released on \$25,000 rec-

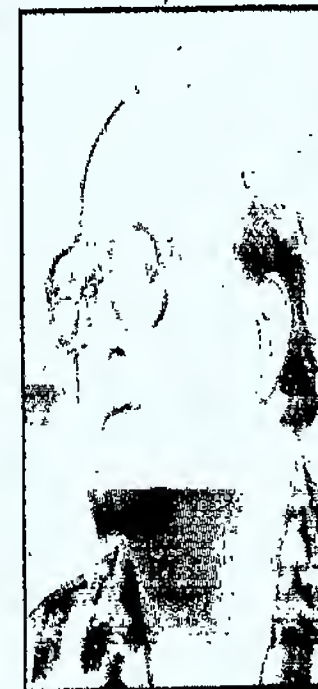
ognizance bond and ordered to look for a job, stay away from people who may be witnesses at his trial, and keep all medical appointments.

Valcovci presented testimony that painted a less-benign image of Fenton, who sat silently in a red and black checkered shirt.

Special Agent Paul H. Wilson of the Federal Bureau of Investigation said a

county jail inmate had told him last month that Fenton promised to "get a machine gun and kill Murtha ... even if he had to drive to Somerset."

The inmate also claimed Fenton said that when he left his home, he would be followed by different cars and that when he returned home, he would dis-



Fenton

Please see **THREAT**, A4

THREAT

Continued from A1

cover things had been moved around.

But Fenton's lawyer, Marketa Sims, questioned the inmate's truthfulness, noting that he expected to receive assistance with his case for helping prosecutors keep Fenton behind bars. She also noted that the inmate had a criminal record that included perjury and criminal solicitation to commit perjury and that he had at times worked as a paid informant.



Murtha

developing Johnstown.

Pesto was given a statement that Fenton wrote on Dec. 11, in which he claimed that he awoke in the hospital on Dec. 3, and found Hugya,

Wilson also said the inmate told him Fenton said he had been hit with pepper spray while he was hospitalized as part of a conspiracy in which Murtha was trying to steal Fenton's ideas for

Murtha, a doctor and a black policeman standing over him. He alleged that they showed him a photo of a dead black man hanging in a jail cell and told him that would happen to him if he didn't let Murtha alone.

He claimed in the letter that the men told him they'd "strangle me, hang me," and have a doctor label his death a suicide.

He claimed in the written statement that the photograph of the dead man was shown to him an hour or two after Clinton Mickens hanged himself in a detention cell at the Public Safety Building. Mickens died during the early hours of Dec. 3.

(Face Below)

Indexing:	(Indicate page, name of newspaper, city and state.)	Page 1
Date:	12/26/90	THE TRIBUNE-DEMOCRAT
Editor:	John P. Murtha, member of	Johnstown, Pa.
Title:	congress, W.D.C. - Vietnam	
Character:	CCSCA-THREAT	
Classification:	89A-PG-64410	
Submitting Office:		

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b7C

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/3/98

[redacted] Date of Birth (DOB) [redacted]
 [redacted] Johnstown, PA, [redacted] was
 interviewed at her residence. [redacted] was advised of the identity
 of the interviewing Agent and the nature of the interview.
 Arriving at the residence during the interview was [redacted]
 husband, [redacted] DOB [redacted]
 provided the following information:

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[redacted] advised she is not very close to [redacted]
 [redacted] and has not seen him for approximately three or
 four years. [redacted] added she returned to the Johnstown, PA, area
 two years ago and, since returning, her only contact with [redacted]
 [redacted] was a telephone call. [redacted] stated she has not visited
 or had contact with [redacted] since his arrest in December.

[redacted] stated she personally has never heard [redacted]
 [redacted] threaten to kill anyone, nor has she ever heard him
 mention Congressman MURTHA or his aide [redacted] added that,
 if [redacted] did make comments or threats toward MURTHA or [redacted] it
 would be his way of letting people know he is angry or mad.
 [redacted] advised where other people in a situation would handle
 their anger by complaining to a manager or someone like that,
 [redacted] way would be to threaten the person with bodily injury.
 [redacted] added [redacted] does not handle anger properly, there is
 something wrong with the way he thinks. [redacted] further advised
 [redacted] handles his anger by making the threats, this is his way
 of blowing off steam; however, she added he would never carry out
 the threats. [redacted] added she believes [redacted] never actually
 meant or had intent to carry out any threats, but if he had made
 the threats, it would have been as a result of previous problems,
 a lifetime of problems.

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[redacted] advised, in her opinion, the family may be
 attempting to use the "system" in order to get [redacted]
 psychological help. [redacted] related [redacted] as had a lifetime of
 crazy ideas. Some of these ideas include his attempts to run for
 public office and his economic plans for Johnstown. [redacted]
 related some of his crazy thoughts were of a religious nature and
 related one incident where [redacted] made the statement that "the
 mother of Jesus was a whore" and then kept expounding on that

[redacted] added, to her knowledge, the family has not made

Investigation on 2/23/98 at Johnstown, PAFile # 89A-PG-64410Date dictated 3/3/98by SA [redacted]

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FILED		
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Continuation of FD-302 of [REDACTED], On 2/23/98, Page 2

any attempts or even discussed obtaining psychological help for [REDACTED] and further added the family does not know how to help him.

[REDACTED] when questioned regarding her knowledge of previous incidents regarding [REDACTED] and [REDACTED] advised while growing up, she had to put up with [REDACTED] displaced anger. Now that she has children of her own, she would not permit [REDACTED] the opportunity to continue in this manner with her or her children. [REDACTED] further stated, in reference to [REDACTED] and his children, that while no one incident may have been so awful, [REDACTED] may have attempted to change [REDACTED] behavior, and calling the police may have been an attempt to do so. That it may have been [REDACTED] way of saying to [REDACTED] "Look, don't treat my kids that way."

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[REDACTED] in her own mind, believes jail alone will not change [REDACTED] while in jail, his anger will continue to grow. [REDACTED] related [REDACTED] needed to be placed in a facility where he could get psychological help. [REDACTED] added she believes [REDACTED] needs confinement either in jail or in some other facility, as long as he gets psychological help at the same time.

[REDACTED] also advised he considers [REDACTED] to be a smart, intelligent person, who has been on his own for over 20 years and able to run his own business. However, [REDACTED] added that he does not know where [REDACTED] gets some of his ideas, [REDACTED] is in need of psychological help, and being in jail will not help [REDACTED] also stated [REDACTED] is "all bark and no bite" and he has never seen [REDACTED] harm anyone, nor does he feel [REDACTED] would do so.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/3/98

[redacted] Date of birth (DOB) [redacted]
 [redacted] Johnstown, PA 15904, [redacted] was
 interviewed at her residence. [redacted] was advised of the
 identity of the interviewing Agent and the nature of the
 interview regarding death threats made by [redacted] and
 directed at Congressman JOHN P. MURTHA and his aide, [redacted]
 Also present for some of the interview was her husband,
 [redacted] provided
 the following information:

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[redacted] advised she is embarrassed to be associated
 with [redacted] and does not want to become
 involved with him or his problems in any way. [redacted] added she
 also does not want her children to become involved nor does she
 want her friends to even know [redacted]
 became visibly upset when talking about [redacted] and often
 cried during the course of the interview. [redacted] frequently
 restated her strong desire that she not have her name associated
 either directly or indirectly with [redacted] or his problems.

[redacted] advised she and [redacted] never [redacted]
 [redacted] when growing up. [redacted] described [redacted] as a
 big, fat, ugly person who likes to intimidate people and who also
 likes to be the focus of attention, whatever kind he can get.
 [redacted] also stated [redacted] does not work because no one
 would hire him. [redacted] further advised the people she grew up
 with know she does not associate with [redacted] and she has kept her
 [redacted] hidden from her other friends.
 [redacted] stated she has told [redacted] never to come to her
 house, that he was not welcome in her home.

[redacted] related she purposely has not followed this
 matter regarding [redacted] in the newspaper or on television.
 [redacted] added she also has not read any of her brother's letters
 to the editor that have appeared in the newspaper. As a result,
 [redacted] advised she is not aware of any relationship between [redacted]
 and Congressman MURTHA or his aide [redacted] also
 stated she was not aware of [redacted] previously suffering from
 any psychological problems nor could she recall him ever
 receiving treatment for psychological problems. [redacted] added
 [redacted] no knowledge of [redacted] ever owning a gun.

b6
b7CInvestigation on 2/24/98 at Johnstown, PAFile # 89A-PG-64410

Date dictated

by SA [redacted]

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SERIALIZED	INDEXED	
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3/3/98		
MAR 20 1998		
FBI - PITTSBURGH		

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Continuation of FD-302 of [REDACTED]

, On 2/24/98

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[REDACTED] stated she could not even begin to imagine that her brother would be released from jail. In addition, she related she could not understand why the news media would give her brother all this attention. [REDACTED] advised if she knew anything, had any information that would help keep her brother in jail, she would gladly provide the information to authorities. [REDACTED] again restated she was embarrassed by her brother.

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[REDACTED] added [REDACTED] always has a story and, for some reason people believe his stories. [REDACTED] related, as an example, that after the Oklahoma City bombing, [REDACTED] told him how the CIA broke into his room, stole his teeth, which were then planted in the area of the bombing, and, therefore, he would be arrested for the bombing. [REDACTED] added this story and others like this indicated to him that [REDACTED] needed some type of mental help.

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/3/1998

[redacted] date of birth [redacted]
[redacted] Johnstown, PA, [redacted] was telephonically
contacted at his residence. [redacted] was familiar with the
identity of the interviewing Agent and the nature of the
interview from a previous contact. [redacted] was advised he was
being interviewed for additional information regarding complaints
filed with the Richland Township Police Department relating to
incidents involving his daughter, [redacted]
[redacted] requested the interview take place over
the telephone, as his daughter was home, and, thereafter provided
the following information:

[redacted] related the initial incident occurred in 1994
while he was at work, and the children, [redacted] were
in the care of a babysitter. [redacted] added also at that time, he
was in the process of a divorce. The divorce has since become
final and [redacted] has custody of his two children. [redacted] advised
not many people talk with [redacted] and, on occasion, [redacted]
would stop at the house. Usually, [redacted] was also present and he
would offer [redacted] dinner and the two would talk for awhile
before [redacted] left. [redacted] stated he told [redacted] previously not
to come to the house when the babysitter was present. [redacted]
added he told him this because [redacted] would play with his
children and get them all riled up and then leave and the
babysitter would have to deal with them. [redacted] also stated [redacted]
[redacted] is somewhat intimidating both because of his size and
tendency to be loud. As a result, the babysitters were somewhat
afraid of [redacted] and, furthermore, some of the babysitters quit.
On this occasion, upon returning home from work, he was informed
[redacted] grabbed [redacted] and injured her arm. [redacted] stated he went
looking for [redacted] in order to confront him regarding this
incident. However, he was not able to locate [redacted] and when he
did speak to him, [redacted] denied the incident. [redacted] added he
told [redacted] due to his size, 6'3"/300 pounds, that he could
unintentionally hurt a little girl just by grabbing her. [redacted]
stated his daughter was taken to the hospital but she suffered no
injuries. [redacted] further added this incident had been blown out
of proportion by his ex-wife, as they were in the process of a
divorce and his ex-wife may have wanted to use this incident
against him in those proceedings. However, [redacted] was awarded

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b7CInvestigation on 2/24/98 at Johnstown, PAFile # 89A-PG-64410Date dictated 3/5/98by SA [redacted]

(telephonically)
SEARCHED ☒ INDEXED ☒
SERIALIZED ☒ FILED ☒
APR - 1 1998
FBI - PITTSBURGH

89A-PG-64410

Continuation of FD-302 of [REDACTED]

, On 2/24/98

, Page 2

custody of his two children which was not contested by his ex-wife.

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[REDACTED] advised the two incidents which occurred in July 1996 were related. During the first incident, while [REDACTED] was taking a shower, [REDACTED] struck [REDACTED] however, by the time [REDACTED] finished his shower, [REDACTED] was gone. [REDACTED] advised he notified the Richland Township Police primarily because he wanted to obtain a Protection From Abuse Order (PFA) against [REDACTED]. [REDACTED] was advised by the police that he would need to file charges against [REDACTED] in order to obtain a PFA; however, [REDACTED] stated he was not willing to file charges. [REDACTED] advised he initially considered a PFA because he did not want [REDACTED] around his children. [REDACTED] stated he was concerned his brother might get mad and hit one of the children and hurt them. [REDACTED] also added he did not want his brother around because of his loud mouth, his use of foul language, and the fact he was just a "pain in the ass." [REDACTED] added he told his brother he did not want him around his children.

[REDACTED] further related several days later, [REDACTED] called the house looking for him; however, [REDACTED] told him her father could not talk to him. [REDACTED] related he was again taking a shower, and [REDACTED] became upset and came to his residence to confront him. [REDACTED] added by the time he finished his shower and found out what was happening, the police had already arrived. [REDACTED] advised his brother threatened to slash his tires with a knife, and the police, upon finding the knife, arrested [REDACTED]. [REDACTED] stated he attended three court hearings; however, the case was postponed each time. [REDACTED] added rather than continue to drag this matter out and subject [REDACTED] to further court proceedings, he spoke with [REDACTED] who agreed to stay away from the residence and have no contact with the children. [REDACTED] added while his daughter will not speak to [REDACTED] was always affectionate toward his son, [REDACTED] always hugging and kissing him. [REDACTED] added when his children are older, they can determine for themselves whether or not to have contact with [REDACTED] but did add, they are not missing much.

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[REDACTED] added [REDACTED] needs some type of help; however, he does not know if being in jail is the right type of

89A-PG-64410

Continuation of FD-302 of [REDACTED], On 2/24/98, Page 3

help. [REDACTED] feels the whole world needs help and everyone else is nuts. [REDACTED] related [REDACTED] has low self esteem and loves to intimidate people. If [REDACTED] feels he cannot intimidate someone, he ususally will just shut up and be quiet. However, if people listen to him, [REDACTED] is a big talker and he will go on and on with his stories. [REDACTED] advised there is not much good that can be said about his brother. [REDACTED] advised three months ago, he believed [REDACTED] was not a threat to anyone; however, he does not know about that now and added he had never heard him threaten Congressman MURTHA or [REDACTED]

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[REDACTED] further advised, in his opinion, [REDACTED] definitely needs psychiatric help. [REDACTED] added the State or government should require [REDACTED] see a psychiatrist and obtain care. This treatment should be required and then, if [REDACTED] refuses, he should go to jail. [REDACTED] added [REDACTED] needs to see someone, to see why he feels his life is going down the tubes, and why he blames everyone else for his problems.

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/4/1998

[redacted] Corrections Officer, Cambria County Prison (CCP), Ebensburg, PA, was interviewed at his place of employment. [redacted] was advised of the identity of the interviewing Agent and the nature of the interview regarding information received from CCP inmate [redacted] thereafter provided the following information:

Officer [redacted] reviewed a copy of an Inmate Advisement, dated February 26, 1998, regarding a reported threat made by CCP inmate [redacted] and directed toward CCP inmate [redacted]. This information was reported to Officer [redacted] on February 26, 1998, by CCP inmate [redacted]. After reviewing the Inmate Advisement, Officer [redacted] provided the following details: b6 b7C

Officer [redacted] advised on February 26, 1998, during the normal course of his duties, he was approached by CCP inmate [redacted] who advised he had a problem and needed to talk. Officer [redacted] took inmate [redacted] aside, at which time, [redacted] advised he had been working at his prison assigned detail which included buffing floors. While working in the hallway in the area of the commissary, [redacted] was approached by an inmate, [redacted], who told [redacted] "If you see [redacted] who works in the kitchen, tell him if he testifies against me, I will kill him." Officer [redacted] advised prior to reporting to work that day, he had seen a television news report, during which it was reported that [redacted] had been released from CCP. Officer [redacted] stated he advised inmate [redacted] the threat was not an issue as [redacted] had been released.

Officer [redacted] further advised later that same evening, he was advised by another corrections officer that [redacted] had not been released as reported in the news. Officer [redacted] stated he then personally confirmed [redacted] had not been released and notified [redacted]. Officer [redacted] then made an official report of b6 b7C the threat and notified his supervisor, Lieutenant [redacted].

Officer [redacted] stated on one occasion, while working in the same cell block where [redacted] was assigned, he had an occasion to speak with [redacted]. On this occasion, [redacted] had been sleeping in his cell, when he began singing in a loud voice. Officer [redacted] advised as he approached [redacted] cell to tell him to

Investigation on 3/3/98 at Ebensburg, PA

File # 89A-PG-64410

by SA [redacted]

Date dictated 3/4/98

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89A-PG-64410-40

89A-PG-64410

Continuation of FD-302 of [REDACTED], On 3/3/98, Page 2

quiet down, he noticed [REDACTED] appeared to be sleeping. Officer [REDACTED] stated he woke [REDACTED] who stated he was not aware he had been singing. Officer [REDACTED] advised he reported this information to CCP Counselor [REDACTED] however was not aware of any action, if any, that was taken as a result.

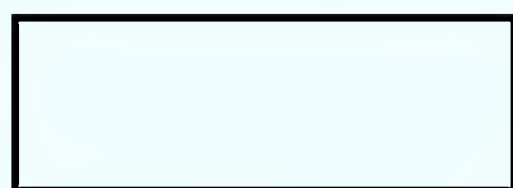
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- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/4/1998

[redacted] Officer, Stonycreek Township Police Department, 1610 Bedford Street, Johnstown, PA, 266-3111, provided a copy of a Cambria County Prison (CCP) Inmate Advisement Report, dated February 26, 1998. This report contained information from CCP inmate [redacted] regarding a verbal threat made by inmate [redacted] and directed toward CCP inmate [redacted]. A copy of the CCP Inmate Advisement is attached and made a part hereto.

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(6.1)
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Investigation on 3/3/98 at Johnstown, PAb6
b7CFile # 89A-PG-64410Date dictated 3/4/98

by SA [redacted]

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- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/10/98

[redacted] Probation Officer, Cambria County Probation/Pretrial Services, 120 S. Center Street, Ebensburg, PA, [redacted] was interviewed at his place of employment. [redacted] was advised of the identity of the interviewing Agent and nature of the interview regarding [redacted] provided the following information:

Officer [redacted] advised on March 4, 1998, he accompanied [redacted] from Ebensburg, PA, to Johnstown, PA, in order to effect [redacted] release pending trial. [redacted] was to be fitted with an electronic monitoring device by a representative from the Federal Pretrial Services Offices prior to his release. Officer [redacted] advised during the trip to Johnstown, PA, [redacted] stated something to the effect he was going to send a letter to Congressman MURTHA and also contact the newspaper. Officer [redacted] added [redacted] appeared to become more agitated as they neared the Johnstown, PA, area. b6 b7C

Officer [redacted] advised [redacted] was advised in addition to the conditions set by the Federal Court regarding his release, he would also have to abide by conditions set by the Cambria County Court. The Cambria County conditions stipulate anyone being placed on an electronic monitoring device was to be placed on home confinement. In addition, the individual also had to agree to weekly random drug testing. Officer [redacted] advised [redacted] when advised of these two conditions, stated he was not agreeable to those conditions. [redacted] stated he was not going to be on house arrest, he was going to do as he pleased. [redacted] further stated he was going to come and go as he wanted or he would rather be in jail. [redacted] added he does not cook and, at least in jail, he would get three meals a day. 61

Officer [redacted] further advised while in the offices of Federal Pretrial Services, at one point, [redacted] stated he was going to start throwing around desks and bust some heads/mouths. Officer [redacted] advised these statements were possibly overheard by Cambria County Probation Officers [redacted] and [redacted] Federal Public Defender [redacted] and Federal Pretrial Services Officer [redacted] b6 b7C

Investigation on 3/5/98 at Ebensburg, PA

File # 89A-PG-64410

Date dictated

by SA [redacted]

89A-PG-64410-42

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89A-PG-64410

Continuation of FD-302 of [REDACTED], On 3/5/98, Page 2

Officer [REDACTED] also advised a working telephone was necessary for electronic monitoring. An initial check of [REDACTED] residence determined his telephone was not working; however, service was subsequently restored later that same afternoon.

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Officer [REDACTED] further stated [REDACTED] refused to agree to the Cambria County conditions for his release. Officer [REDACTED] stated he notified Cambria County Judge CREANY, who upon being advised of the situation, ordered [REDACTED] returned to Cambria County Prison.

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)

THE TRIBUNE-DEMOCRAT
JOHNSTOWN, PA

Date: 4/1/98

Edition:

Title: JOHN P. MURTHA, member
of CONGRESS, W.D.C. -
VICTIM

Character: 12/3/97

or

Classification: CCSCAWA - THREATS
Submitting Office: 89A-PG-64410
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The Tribune-Democrat, Johnstown, Pa.

Wednesday, April 1, 1998

Fenton says he was mistreated

By LINDA HUDKINS
THE TRIBUNE-DEMOCRAT

Donald Lee Fenton - charged with threatening the lives of several people including U.S. Rep. John Murtha - claims that police and FBI agents did not read him his rights and denied his request for a lawyer during questioning.

Fenton's attorney, Marketa Sims of Pittsburgh, has filed pretrial motions in Pittsburgh that describe how her client had been lying in his bed when eight police officers and two mental health crisis workers approached his open apartment door and demanded entry.

remained in the Memorial Medical Center until Dec. 11, when authorities handcuffed him and took him for arraignment at the District Court of Magistrate Leonard Grecek, the documents state. He claimed that during his involuntary stay at the hospital, he was sometimes "confined with leather restraints and forcibly injected with drugs."

Fenton, admittedly a political adversary of Murtha, said Stonycreek Township police denied his request for an attorney the day of the arraignment.

After the denial of counsel, Fenton claimed he was interrogated by



Donald Lee Fenton
Currently on house arrest

rants and to secure his release from

89A-PG-64410-
SEARCHED GEN. FOIMS
SERIALIZED INDEXED
FILED

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- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/2/98

[redacted] Office Manager, Office of District Justice LEONARD T. GRECEK. District 47-1-03, 205 Suppes Avenue, Johnstown, PA, [redacted] provided pertinent documents relating to Defendant [redacted] Docket #CR-855-97. A copy of these documents is attached and made a part hereto.

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[redacted] advised she telephonically contacted District Justice GRECEK regarding the December 11, 1997, preliminary arraignment of [redacted] GRECEK related that during the proceedings, [redacted] was advised of the charges filed against him, Terroristic Threats and Harassment, and was also advised of his Constitutional rights. GRECEK further related [redacted] did not exercise his right to be represented by legal counsel at the preliminary arraignment. GRECEK added had [redacted] requested an attorney, the preliminary arraignment would have been recessed to allow [redacted] to contact an attorney and have the attorney present for the preliminary arraignment. [redacted] was also provided with a Preliminary Arraignment form outlining the proceedings, which [redacted] acknowledged he understood and signed.

(61)

1096 PHW02.302

Investigation on <u>4/2/98</u>	at <u>Johnstown, PA</u>	SEARCHED <input checked="" type="checkbox"/> INDEXED <input checked="" type="checkbox"/> SERIALIZED <input checked="" type="checkbox"/> FILED <input checked="" type="checkbox"/>
File # <u>89A-PG-64410</u>	Date dictated <u>4/2/98</u>	<u>APR - 9 1998</u>
by SA <u>[redacted]</u>		FBI - PITTSBURGH

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COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CAMBRIA

**PRELIMINARY ARRAIGNMENT
NOTICE**

COMMONWEALTH OF
PENNSYLVANIA

Mag. Dist. No.	47-1-03
CJ Name:	LEONARD GRECEK
Address:	205 SUPPES AVENUE JOHNSTOWN, PA
Telephone:	(814) 539-7791 15902

VS.

DEFENDANT: NAME and ADDRESS

JOHNSTOWN, PA 15904

b6
b7C

LEONARD GRECEK
205 SUPPES AVENUE
JOHNSTOWN, PA 15902

Docket No.: MD-0000064-97
Date Filed: ~~12/08/97~~

12/08/97



Charge(s):

--

You are hereby notified that a preliminary arraignment will be held in the above captioned case at the following time and place:

Date: 12/11/97	Place: DISTRICT COURT 47-1-03 205 SUPPES AVENUE JOHNSTOWN, PA 15902
Time: 12:05 PM	

At the preliminary arraignment, you will be given a copy of the criminal complaint that has been filed against you. In addition, you will be advised of your right to counsel, your right to a preliminary hearing, and the amount and types of bail available if your offense is a bailable offense.

At the preliminary arraignment, a date and time will be fixed for your preliminary hearing and you will be given a reasonable opportunity to post bail. If bail is not posted, you may be committed according to law.

If you are disabled and require assistance, please contact the Magisterial District office at the address above.

If you have any questions, please call the above office immediately.

12/11/97 Date Leonard J. Grecek, District Justice
My commission expires first Monday of January, 1998 . SEAL

DATE PRINTED: 12/11/97
ONLY DJ COPY PRINTED

DEFENDANT

DOCKET # CR-855-97

CHARGES Terroristic Threats (1c1)

HARASSMENT

(Summary)

PRELIMINARY ARRAIGNMENT

DISTRICT COURT #47-1-03

LEONARD J. ECEK, DISTRICT JUSTICE

205 SUPPES AVENUE

JOHNSTOWN, PENNSYLVANIA 15902

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THE UNDERSIGNED, appeared for arraignment this 11 day of DECEMBER, 1997.

At this time, I acknowledge that:

The complaint was read to me and I was informed of the charge(s) against me as noted.

I understand what I am being charged with - and I was given a copy the complaint.

I was told that I had the right to have a lawyer of my choice, or if I could not afford one, then upon my application to the Public Defender's office, a lawyer would be appointed for me at no cost whatever.

I was informed that I had the right to request the Justice to notify anyone I designated of my arrest - and to have the justice summon designated witnesses at my hearing.

I was told that a preliminary hearing would be scheduled not less than three days nor more than 10 days from this date, that I could have counsel at that hearing, and that this hearing could be continued for good cause providing such request was in writing and/or approved in sufficient time to permit notification of all parties to this action.

I was told that I could waive this hearing and consent to be bound over to Court providing with consent was made under the advice of counsel and was made prior to the hearing scheduled.

I understand I would have to appear in the District Justice Court to sign such waiver or my lawyer could do this in my interest.

I was informed that the charge against me is bailable and understand that my bail is set at \$25,000.00. I was informed of the type of bail that would be acceptable such as :

(a) Cash bond

(b) Property bond provided the value of the property posted is equal at least the amount of the bond required. Also, that the property

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: CAMBRIA

Mag. Dist. No.:

47-1-03

DJ Name: Hon.

LEONARD GRECEK

Address: 205 SUPPES AVENUE
JOHNSTOWN, PA

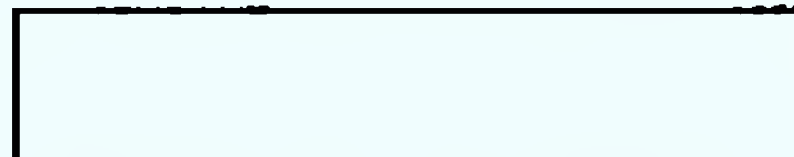
Telephone: (814) 539-7791 15902

**NOTICE OF
PRELIMINARY HEARING**

COMMONWEALTH OF

PENNSYLVANIA

VS.



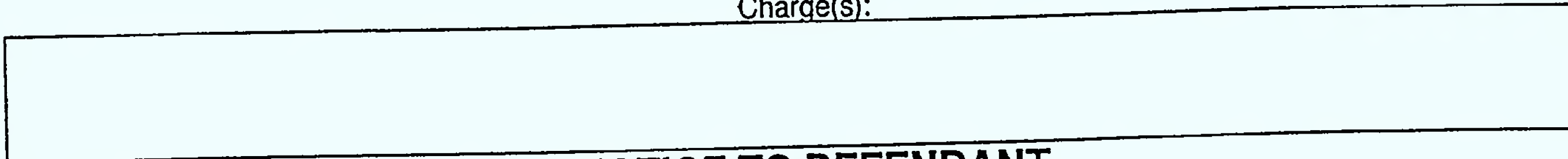
JOHNSTOWN, PA 15904

MAX F. PAVLOVICH
719 OAKMONT BLVD., EAST
JOHNSTOWN, PA 15904-1709

Docket No.: MD-0000064-97
Date Filed: 12/08/97



Charge(s):



NOTICE TO DEFENDANT

A complaint has been filed charging you with the offense(s) set forth above and on the attached copy of the complaint. A preliminary hearing on these charges has been scheduled for:

Date: 12/16/97	Place: DISTRICT COURT 47-2-01 719 OAKMONT BLVD., EAST JOHNSTOWN, PA 15904-1709
Time: 4:00PM	

If you fail to appear at the time and place above, a warrant will be issued for your arrest.

At the preliminary hearing you may:

1. Be represented by counsel;
2. Cross-examine witnesses and inspect physical evidence offered against you;
3. Call witnesses on your behalf other than witnesses to testify to your good reputation only, offer evidence on your behalf and testify;
4. Make written notes of the proceeding, or have your counsel do so, or make a stenographic, mechanical or electronic record of the proceedings.

If you cannot afford to hire an attorney, one may be appointed to represent you. Please contact the office of the district justice for additional information regarding the appointment of an attorney.

If you are disabled and require assistance, please contact the Magisterial District office at the address above.

If you have any questions, please call the above office immediately.

12/11/97 Date Leonard J. Grecek, District Justice
My commission expires first Monday of January, 1998. SEAL

DATE PRINTED: 12/11/97
ALL COPIES PRINTED

COUNTY OF:

COMMITMENT

COMMONWEALTH OF
PENNSYLVANIA

Mag. Dist. No.	#47-1-03
DJ Name	Leonard J. Grecek (Acting for Max Pavlovich)
Address	205 Suppes Avenue Johnstown, PA 15902
Telephone	(814) 539-7791

PLEASE DELIVER WITHIN FIVE (5) DAYS

VS.
DEFENDANT: NAME and ADDRESS

Johnstown, PA 15904

b6
b7CDocket No.: CR-855-97
Date Filed: 12-08-97

Terroristic Threats (1 Count)

(Charge)

Harassment (1 Count)

(Charge)

To ANY AUTHORIZED PERSON of the above named County of this Commonwealth:

You are hereby commanded to convey and deliver into the custody of the Keeper of the county prison the above named defendant. You, the Keeper are required to receive the defendant into your custody to be safely kept by you until discharged by due course of law or for:

☐ A PERIOD OF ____ DAYS UNTIL _____☐ A HEARING AT
PRELIMINARY HEARING ON:

Date: 12/16/97	Place: 719 E. Oakmont Boulevard Johnstown, PA 15905
Time: 4:00 P.M.	

☐ A FURTHER HEARING

Date:	Place:
Time:	

☐ COMMON PLEAS COURT ACTION☐ OTHER: _____Witness my hand and official seal this 11th day of December, 19 97.

12/11/97

Date

Acting for

Max Pavlovich

1/5/98

District Justice

My commission expires first Monday of January, 19 98.

SEAL

Criminal Fee Vouch

DEFENDANT'S NAME DATE 12-11-97 TIME
 ADDRESS CITY JOHNSTOWN STATE PA ZIP 15904
 DEF. PHONE # DOCKET # CR 855-97 OTN # F118539-1
 SS# D.O.B. OLN #
 DISTRICT JUSTICE PHONE #

		Surcharge	CONST # 1	CONST #
WARRANT(s) (<u> </u>)	\$15.00			
RELEASE FROM JAIL	5.00			
CUSTODY	5.00		5.00	5.00
CONVEY TO DISTRICT JUSTICE	5.00			
ARRAIGNMENT OR HEARING	5.00		5.00	5.00
CONVEY FOR FINGERPRINTING	5.00		5.00	5.00
FINGERPRINTING	10.00		10.00	10.00
RELEASE ON BOND	5.00			
DISCHARGE FROM CUSTODY	5.00		5.00	5.00
CONVEY TO JAIL	5.00		5.00	5.00
COMMITTMENT - JAIL/PSB	5.00		5.00	5.00
RETURN OF SERVICE (ea.)	2.50		2.50	2.50
CANNOT LOCATE (N. E. I.)	2.50			
SUMMON(s) OR SUBPOENA(s) (<u> </u>)	10.00 1st - 2.50 2nd			
ORDERED COURT ROOM SECURITY (<u>3</u>) hrs.	@ 10.00 / hr.		30.00	30.00
<u>50</u> MILES AT (<u>.30</u>) PER MILE	\$		15.75	

EXPLANATION OF HOURS CHARGED

AWAITING ARRIVAL OF D. J. () hrs.
 FINGERPRINT TIME () hrs.

TOTAL HOURS At \$10.00 / Hr.

TOTAL CONSTABLE(s) FEES 88.25 72.50

\$5.00 X =
 C.E.T.A. DOCKET #'S

Total Surcharge

SIGNATURE

NAME
ADD

JOHNSTOWN, PA 15905

COMPUTER #

SOC SEC #

CONST #2

SIGNATURE
NAME
ADDR.

COMPUTER #

SOC SEC #

DISTRICT COURT # 77 / 1 / 03



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No.

Charleroi, PA 15022
April 14, 1998

Mr. [redacted] Prothonotary
[redacted]
Clearfield, Pennsylvania 16830

RE: [redacted]

Dear Mr. [redacted]

As per our telephone conversation of April 14, 1998,
regarding [redacted] and pursuant to an official
investigation, I am requesting copies of docket entries for the
following cases relating to [redacted]

80-413
80-745
81-350
81-637
97-351

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Enclosed is a self-addressed stamped envelope per your
request. Your cooperation in this matter will be greatly
appreciated.

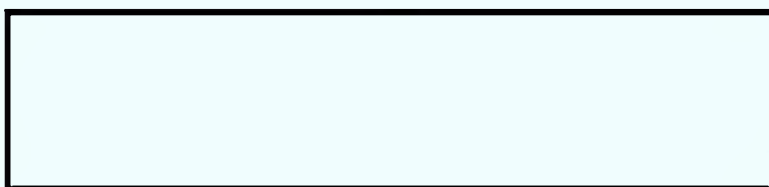
Sincerely yours,

RICHARD M. MOSQUERA
Special Agent in Charge

- 1 - Addressee
2 - Pittsburgh (89A-PG-64410)
PHW/phw
(3)

By: [redacted]

Supervisory Senior Resident Agent



④
/105PAW01LTR

89A-PG-64410-
45
[Signature]
[Signature] OR
[Signature] OR

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2/24/1998

[redacted] DOB [redacted]
[redacted] Johnstown, PA. 15902, [redacted] was interviewed at his residence. [redacted] was advised of the identity of the interviewing Agent and the nature of the inquiry regarding death threats made by [redacted] and directed at Congressman JOHN P. MURTHA and his aide, [redacted]. Also present during the interview was [redacted] spouse, DOB [redacted] [redacted] provided the following information:

[redacted] advised approximately three - four weeks ago, he visited [redacted] at the Cambria County Prison. [redacted] added his wife, [redacted] visited [redacted] on Wednesday, February 18, 1998, and gave him money for commissary purchases. [redacted] related he would have attempted to bail [redacted] out of jail; however, [redacted] has never asked him to nor could he really spare the money. [redacted] also stated it was his understanding through conversation with his mother, [redacted] that even if the state charges against [redacted] were dismissed, a Federal warrant also existed and therefore [redacted] would not be released on bail. b6 b7C

[redacted] related during his visit at the jail, [redacted] discussed the matter surrounding his arrest in general terms; however, [redacted] made no admissions concerning the alleged threats toward Congressman MURTHA or [redacted] added [redacted] mentioned in the past about running for election against Congressman MURTHA. In addition, [redacted] stated he was aware of and had seen [redacted] economic plans for Johnstown. However, [redacted] never mentioned or discussed any meetings he may have had with [redacted] regarding those plans, but [redacted] did relate he felt there was a conspiracy against him by [redacted] and Congressman MURTHA. [redacted] further stated he never heard [redacted] threaten or even discuss in threatening terms, either Congressman MURTHA or [redacted] b6 b7C

[redacted] further related, in the past, he heard [redacted] state he would beat people; however, he was not aware of any instance when he did. [redacted] stated [redacted] was the type of person who liked to talk, ramble on, and on if he had someone who would listen to him, and he would feel better; however, [redacted] added [redacted] should not be taken seriously. [redacted] further

Investigation on 2/20/98 at Johnstown, PA

File # 89A-PG-64410

Date dictated 2/24/98

by SA [redacted]

104 PHU 01.302 (6.1)

89A-PG-64410-46

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Continuation of FD-302 of [REDACTED], On 2/20/98, Page 2

stated in this particular instance as it relates to the problems with his truck and the insurance company, [REDACTED] may have gotten mad and said some things he did not mean and would never carry out. However, the insurance agent took him seriously probably due to [REDACTED]'s size.

[REDACTED] advised [REDACTED] has never owned a gun, even as a kid. In addition [REDACTED] was not aware of [REDACTED] suffering from any psychological problems or any type of mental condition.

[REDACTED] stated some of his family members, primarily his sisters, do not have any contact with [REDACTED] added some of those same family members will not even speak to him or his wife because of their contact with [REDACTED] also advised he was not familiar with the nature or details of the incidents between [REDACTED] and [REDACTED] which involved [REDACTED] daughter.

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[REDACTED] advised [REDACTED] does not have a current girlfriend, but his previous girlfriend was [REDACTED] (phonetic). [REDACTED] added the relationship ended approximately 14 years ago and he personally has not seen [REDACTED] for over 10 years. [REDACTED] stated he heard about the problem between [REDACTED] and [REDACTED]; however, he was not aware of any details. [REDACTED] advised he did not know of [REDACTED] current residence or how she could be located.

[REDACTED] further advised during the Sani-Dairy strike, approximately two years years ago, [REDACTED] offered him a job working construction for the duration of the strike. [REDACTED] stated during the time he worked for [REDACTED] he was impressed with how [REDACTED] handled himself on the job. [REDACTED] added [REDACTED] also employed two other workers, [REDACTED] and [REDACTED] however, he could not recall their last names. [REDACTED] advised [REDACTED] also was friends with [REDACTED] a cousin of [REDACTED] however, he could not provide any further information regarding [REDACTED]

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2/25/1998

[redacted] DOB [redacted]
Johnstown, PA 15905, [redacted] and [redacted] DOB [redacted]
[redacted] South Fork,
PA 15956 [redacted] were interviewed at their place of
business, [redacted],
Johnstown, PA, [redacted]. They were advised of the identity
of the interviewing Agent and the nature of the inquiry regarding
death threats made by [redacted] and directed at Congressman
JOHN P. MURTHA and his aide, [redacted] and thereafter provided
the following information:

[redacted] and [redacted] advised they have known [redacted] b6
[redacted] for 30 years and described him as a "big, loud- b7C
mouthed giant," who "threatens people all the time," and when he
was younger "could slap people around." They related [redacted] was
just a "big-mouth" who liked to be the center of attention. If
[redacted] thought he could intimidate someone, he would keep
talking; however, if challenged, someone got in his face, [redacted]
would back down every time. Both added if [redacted] knew you were
in trouble, he would give you the shirt off his back. [redacted] and
[redacted] advised [redacted] would not carry out any threat, he
does not have it in him to kill anyone. Neither were able to
recall [redacted] owning a gun nor could they recall even seeing him
with a gun.

The [redacted] advised in the 1970s [redacted] worked as a
bouncer at the "Factory Bar," which is now closed. Also in 1980
or 1981 [redacted] participated in the local "Tough Man
Competition." Also participating in the same competition was
their cousin, [redacted]. During the competition, [redacted]
fought an individual known as the "Widow Maker" and subsequently
died from injuries suffered in the bout. Rumors to the effect
that [redacted] caused the death of [redacted] are incorrect, in
fact, [redacted] dropped out of the competition before he would have
faced [redacted].

[redacted] advised he was in the construction business
with [redacted] approximately four or five years ago. [redacted] related
the business belonged to [redacted]; however, they split the profits.
During the time he worked with [redacted] stated the business
was not very good, and he subsequently went into business with

Investigation on 2/20/98 at Johnstown, PA

File # 89A-PG-64410

Date dictated 2/25/98

by SA [redacted]

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Continuation of FD-302 of [REDACTED]

, On 2/20/98

, Page 2

his brother, [REDACTED]. Since starting in business with his brother, they have not had a day off. [REDACTED] added he heard [REDACTED] believes both [REDACTED] and Congressman MURTHA have helped them in their business; however, [REDACTED] denied any business relationship with either [REDACTED] or Congressman MURTHA. However, both stated they are familiar with and have, on occasion, spoken with [REDACTED]. These conversations took place in and around the Quemahoning Dam, where the [REDACTED] go to fish, and, on occasion, encountered [REDACTED].

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[REDACTED] added he worked with [REDACTED] for approximately three years and during which time the business went downhill. [REDACTED] advised for the last several years, [REDACTED] and [REDACTED] (phonetic) have worked for [REDACTED]. [REDACTED] recalled [REDACTED] may reside in the Moxham area of Johnstown and possibly on Oakland Avenue.

The [REDACTED] further stated they would describe [REDACTED] as a dreamer. Both related they were aware of [REDACTED] economic plan for Johnstown and had seen those plans which [REDACTED] had drawn on cardboard. [REDACTED] related to them he had taken his plans to [REDACTED] and even offered to sell them to his bodyguard. However, according to [REDACTED], the bodyguard supposedly replied by holding out a bullet and stating "Here's a bullet worth six cents, how much more do you want?" [REDACTED] added [REDACTED] was "weird" and "would lie about everything."

[REDACTED] further related he was working with [REDACTED] on the day of the Oklahoma City bombing, when, upon hearing of the bombing, [REDACTED] stated he was being framed for the bombing. On another occasion, when [REDACTED] was late for work, [REDACTED] called [REDACTED] mother and said everyone must be dead. [REDACTED] added [REDACTED] showed him a photo of a woman whom [REDACTED] described as his girlfriend; however, in actuality, the photo was from K-Mart and came with the frame. [REDACTED] also related his truck had been damaged at Carman's Wholesale Tires and the insurance company was buying him a new truck as a replacement.

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The [REDACTED] further related [REDACTED] family does not have much contact with him and are afraid of him. [REDACTED] does have contact with his brother, [REDACTED] and his brother-in-law [REDACTED]. [REDACTED] added in 1990 or 1991, [REDACTED] stayed at his house. However, they both stated while they would be willing

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Continuation of FD-302 of [REDACTED], On 2/20/98, Page 3

to work with [REDACTED] neither would be willing to invite him to their homes. Neither have had any contact with [REDACTED] since his arrest. b6 b7C

[REDACTED] denied discussing, planning, or in any way conspiring with [REDACTED] to kill [REDACTED] also denied he was ever offered \$10,000, or any amount of money, by [REDACTED] or anyone else, as a payment for killing [REDACTED]

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/10/1998

[redacted] DOB [redacted] SSAN [redacted]
 [redacted] was interviewed at the Cambria County Prison
 (CCP), Ebensburg, PA. [redacted] provided a home address of [redacted]
 [redacted] South Fork, PA 15956, [redacted] was
 advised of the identity of the interviewing Agent and the nature
 of interview regarding a threat made by CCP inmate [redacted]
 concerning CCP inmate [redacted] provided the following
 information:

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[redacted] advised he is currently assigned to CCP housing
 unit B, cell #27C. Housed in unit B are those inmates in pre-
 release, work release, as well as those who are assigned to CCP
 work details. [redacted] advised he is assigned to the prison hygiene
 detail and his normal working hours were 8:30 a.m. - 4:00 p.m.
 His duties included washing windows, stocking toilet paper, and
 cleaning and buffing floors. [redacted] further advised inmate [redacted]
 [redacted] was also assigned to housing unit B and worked in the
 prison kitchen.

[redacted] advised to his knowledge he had not met or talked
 to [redacted] until the day of the threat. [redacted] stated on
 two or three occasions, as part of regular duties, delivering
 toilet paper, he may have entered the cell block where [redacted] was
 assigned. [redacted] added on those occasions, he did not see, talk
 to, or go into [redacted] cell, and, furthermore, did not know
 which was [redacted] cell.

[redacted] advised his encounter with [redacted] took place
 approximately one week prior to his actual report of the threat
 to CCP authorities. [redacted] stated on that particular day, he was
 working, buffing the floor, in the area of the prison commissary.
 While doing so, he observed an individual, he later determined
 was [redacted] standing against the wall outside the commissary.
 [redacted] stated at one point, he came within six feet of [redacted] at
 which time [redacted] stated, "You're in B block?" [redacted] advised
 when he responded "Yes," [redacted] stated, "Tell [redacted], if he
 testifies against me, I will kill him." [redacted] stated in his
 opinion, [redacted] was dead serious and if looks could kill, [redacted]
 had that look. [redacted] added following his statement, he just
 looked at [redacted] did not respond, and continued working. [redacted]
 [redacted] remained in the area for approximately five

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b7CInvestigation on 3/3/98 at Ebensburg, PAFile # 89A-PG-64410Date dictated 3/10/98by SA [redacted]

104 PHAW 03.302 (6.1)

89A-PG-64410-48

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APR 23 1998		
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Continuation of FD-302 of [REDACTED]

, On 3/3/98

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minutes, finished at the commissary, and then both departed. [REDACTED] advised he went in the direction of the central corridor, while [REDACTED] departed in the direction of his cell block. [REDACTED] further advised he was alone with [REDACTED] at the time of the threat and no one else was in a position to overhear the threat.

[REDACTED] advised he felt [REDACTED] threat was just "inmates being inmates" and none his business, therefore he did not tell [REDACTED] of the threat. [REDACTED] further advised he did not immediately report the incident to CCP authorities, as he felt it was none of his business. [REDACTED] added even though assigned to the same cell block, his cell was on the upper tier and [REDACTED] cell was on the lower tier, he may have spoken to [REDACTED] on only one or two occasions. [REDACTED] further related on those occasions, he never heard [REDACTED] mention [REDACTED] advised [REDACTED] was assigned to the kitchen detail which began work between 5:00 a.m. and 5:30 a.m. and finished at approximately 6:00 p.m.

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[REDACTED] advised approximately one week later, he reported the threat to CCP authorities, specifically Officer [REDACTED]. [REDACTED] stated he reported the threat after seeing a 12:00 p.m. television newscast which reported [REDACTED] release from CCP. [REDACTED] added as part of the news story [REDACTED] s picture was shown on the television and, it was at that time he recognized [REDACTED] as the person he saw in the corridor a week earlier. [REDACTED] added even after seeing the news report, he still debated whether or not to report the threat, as [REDACTED] apparently had been released from CCP. However, since the news reported [REDACTED] was in jail for threatening other people, and, while in jail, [REDACTED] made a threat directed toward another inmate, [REDACTED] felt he could be held liable should he fail to report the incident. [REDACTED] further reasoned should anything happen and the authorities determine he had prior knowledge, he would receive additional time added to his sentence.

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[REDACTED] advised he reported the incident to Officer [REDACTED] who, on that day, was working as a floater in cell block B. After receiving the information, Officer [REDACTED] advised he would report the information to the lieutenant and then get back to [REDACTED] added after reporting the information to Officer [REDACTED] the housing unit officer, Officer [REDACTED] informed [REDACTED] he should have reported the information to him, at which point [REDACTED]

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Continuation of FD-302 of [REDACTED]

, On 3/3/98

, Page 3

provided Officer [REDACTED] with the details. [REDACTED] further advised he was subsequently contacted by Officer [REDACTED] and advised [REDACTED] had been released and therefore it was a dead issue. However, later that same evening, Officer [REDACTED] recontacted him to advise [REDACTED] had not been released; however, it was still a dead issue and [REDACTED] was not to worry about it. [REDACTED] added he has not had any additional contact with either [REDACTED] and, to his knowledge, both may have since been released.

[REDACTED] advised by way of background, in 1995 he had been arrested by the Pennsylvania State Police, Indiana, PA, regarding the molestation of a five year old child he had been babysitting. [REDACTED] advised following a trial which resulted in a hung jury, he suffered a nervous breakdown and spent four or five days at the Clarion Psychiatric Hospital. [REDACTED] advised in order to put this matter behind him, he subsequently pled guilty to Simple Assault and received two years probation. [REDACTED] further advised in 1996, he was arrested by the Summerhill Township Police Department at the home of his fiancée, [REDACTED] [REDACTED] Beaverdale, PA. [REDACTED] currently resides at [REDACTED], South Fork, PA. [REDACTED] advised he was arrested for Indecent Assault, Sexual Assault, and Corruption of Minors, involving his fiancée's 16 year old daughter. [REDACTED] advised he subsequently pled no contest to a charge of Corruption of Minors for which he received a sentence of 6 to 60 months. In addition, as a result of his 1996 arrest, he was also resentenced on the 1995 charges and received a concurrent 6 to 24 month sentence.

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[REDACTED] advised at his initial parole hearing in December 1997 his parole was denied. The parole board recommended [REDACTED] obtain a high school General Equivalency Degree and continue sexual offender classes at CCP. [REDACTED] added his next appearance before the parole board is scheduled for November 1998.

[REDACTED] stated he did not expect to be contacted by the FBI in relation to this incident involving [REDACTED] added that, as a sexual offender, he has to serve a minimum of 85% of his sentence. [REDACTED] further advised he was not asking for nor did he expect to receive anything in return for reporting this incident.

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The Tribune-Democrat, Johnstown, Pa.

Wednesday, April 15, 1998

Fenton federal trial date set

Cambria case delayed for picking new prosecutor

By **SANDRA K. REABUCK**
TRIBUNE-DEMOCRAT NORTH CAMBRIA BUREAU

Donald Lee Fenton of Geistown is scheduled to go on trial May 18 in U.S. District Court in Johnstown on charges that he threatened to kill U.S. Rep. John P. Murtha, one of the congressman's aides and several other people.

Fenton's upcoming trial in Cambria County Court on charges that he threatened his insurance agent is expected to be delayed for the appointment of a new prosecutor.

Both the state and federal charges stem from a telephone phone conversation in which Fenton talked Dec. 3 with Randy Leventry, an insurance agent. According to the charges, Fenton threatened Leventry and also threatened "to blow Congressman's Murtha's head off."

Leventry was handling an insurance claim for damage done to Fenton's truck by a local repair garage whose workers allegedly failed to refill

the truck's engine with oil, resulting in the engine being damaged.

U.S. Attorney John Valkovci of Johnstown on Tuesday confirmed the May 18 federal trial date for Fenton. In addition, Fenton is scheduled to be in federal court May 4 for a hearing on several pretrial motions by the defense challenging Fenton's arrest and other issues.

Fenton, 41, of the 2400 block of Bedford Street, was in county court on Tuesday for a hearing before Judge Gerard Long on a motion seeking to have the county district attorney's office disqualified from prosecuting state charges.

The issue was quickly resolved when First Assistant District Attorney Patrick Kiniry said that the state attorney general's office will be asked to name a special prosecutor in order to avoid the appearance of any conflict of interest.

Kiniry confirmed that Assistant District Attorney Gary Jubas - one of the part-time prosecu-

tors - had represented Fenton privately, including making some phone calls for Fenton on the insurance matter. But Jubas did not, as contended by the defense, receive a \$1,000 retainer from Fenton, according to Kiniry.

Because Jubas' prior representation of Fenton "would raise the appearance of impropriety, we will ask the attorney general to assign a prosecutor," Kiniry said.

Public Defender Richard Corcoran, who is representing Fenton, maintained in the petition that Jubas obtained confidential information during the course of his representation of Fenton in the civil matter and that may be detrimental to any defense offered by Fenton at trial.

Fenton's county trial is scheduled for the May term of criminal court, but it is expected to be postponed until July.



Fenton

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(Indicate page, name
newspaper, city and
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Date:

Edit:

Title:

Character:

or

Classification:

Submitting Office:

FSA-Pa-64410

John P. Murtha, member of
Congress, Wash. D.C.
12/3/93
Cambria - murder

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APR 20 1998

FBI - PITTSBURGH



FBI/DOJ

Date 4/16/88

☐ Birth ☐ Credit ☒ Criminal ☐ Death ☐ INS ☐ Marriage* ☐ Motor Vehicle ☐ Other ☐ Driver's License

To NCIC Buded
Return to File number 89A-PG-64410

Name and aliases of subject, applicant, or employee, and spouse

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Addresses

Residence _____
Business _____
Former _____

* Date and place of marriage
(if applicable) _____

Race	Sex <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	Age	Height	Weight	Hair	Eyes
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Specific information desired						Social Security Number

Results of check

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No Duplication Fees are charged for Deleted Page Information Sheet(s).

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